

LAW ENFORCEMENT NEWS

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Wounded but not limping:

Detroit picks up the pieces after losing 690 patrollers

The scheduled layoff of 690 Detroit officers hit the fan earlier this month, crippling the police department's affirmative action plan, sparking a bitter dispute between black and white personnel, and creating the need for an extensive reorganization of the force.

Inspector Ronald Vasiloff, who was one of the major architects of the layoff restructuring plan, hinted at the gravity of

the situation, noting that the latest round of furloughs will not put an end to the department's budgetary problems.

"We have no plans for recall at all," he told Law Enforcement News. "We have additional plans for possible future layoffs. Some of our grants run out in January 1981. At that time, we think we will have additional layoffs."

Vasiloff stated that at least 33 officers

who are paid through grant money would be let go in four months and that as many as 50 others will also be shown the door "to maintain our attrition rate, which we're falling a little below on."

The recent layoffs represent the dismissal of 18 percent of the department's 3,800-officer patrol complement, a force that has already been diminished by 400 layoffs last October.

Affirmative action hit hardest

Both rounds of furloughs dealt a significant blow to the department's efforts to increase the number of black and female officers in a program that had put a higher percentage of minorities and females on the force than in any other major city.

"The layoffs were extremely heavy in the area of affirmative action," Vasiloff said. "Rough figures are that 76 percent of those laid off were [black], either male or female. Our recent hiring pattern has been on the basis of affirmative action, that's why."

Members of the Guardians Association of Michigan, a fraternal black police group, attempted to adjust the pattern of layoffs to the pattern of hiring, publicizing their cause at a September 7 demonstration outside the offices of the Detroit Police Officers Association.

In a dispatch accompanying a photo of the protest, United Press International identified the demonstrators as black Detroit officers who had been cut. DPOA

Continued on Page 4

The mighty Quinn:

New IACP president builds solid platform

About 5,000 of the nation's police chiefs met in St. Louis earlier this month to see Chief William F. Quinn of Newton, Massachusetts, accept the gavel as president of IACP at the group's 87th Annual Conference.

In an interview with Law Enforcement News, Quinn presented a point-by-point analysis of his plans for his one-year term as IACP president.

Pointing to this summer's major racial disturbance in Miami, which was touched off by a police shooting, Quinn placed the need for an IACP-drafted deadly force standard at the top of his list of priorities.

"I hope to look into deadly force by police officers around the country when it's used against all people, regardless of race," he said. "Hopefully, we can come up with a standard for a deadly force policy for the United States that would be acceptable to the police and to the citizenry."

In a related matter, the new IACP leader noted that the group's equipment and technology unit is working on a police holster that would be "safer for both the officer and the citizen." He stated that he would push for its speedy development so that police sidearms "cannot be taken away from officers easily and, on the other hand, cannot be discharged accidentally."

Discussing another research grant that will be in IACP's portfolio during his 1980-81 term, Quinn praised Dallas Police Chief Glen D. King's efforts in chairing a committee that is in the process of developing accreditation standards, for police agencies.

"I'm interested in the accreditation of police officers," he stated. "Some people are not; I am. I believe there should be standards. I hope to be as useful as I can in assisting that committee."

Remembering the "I" in IACP

Recently, critics have challenged the use of the word "international" in IACP's logo, claiming that the association has virtually turned its back on its more than 300 overseas members.

Quinn said he plans to bring IACP's

foreign members back into the mainstream of the group, possibly by appointing a European member to the governing panel of the group, the IACP Executive Committee.

"I hope to enhance the organization in this regard," he remarked. "I'm going to make the association more international, and that's not lip service. We're going to

do something about it."

In a period of continued cuts in Federal assistance to local police agencies, Quinn plans to turn up the volume of IACP's voice in Washington. "We'd like to see Norman Darwick spend more time on Capitol Hill if he can," the president said. "He will be more of a full-time lobbyist."

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Beam me down, Scotty!



Wide World Laserphoto

These officers from the Peoria, Illinois, Police Department are not practicing levitation but are trying to figure out how to ticket a driver who parked too far away from the curb. The motorist, Lee Thompson of Brimfield, was searching for a spot in a parking lot when he saw some empty space off on the horizon. What he didn't realize was that the vacant spots were in a different lot, separated by a six-foot-high retaining wall. Before he could get his proper bearings, Thompson drove on to a trash dumpster, which rolled away from the wall. When he got out of his car, he suffered head injuries after his journey downward.

...NewsBriefs...NewsBriefs...NewsBriefs...

Congressmen say sun is setting on effort to reform crime code

Time has run out for passage of the long-awaited criminal code reform, according to a group of congressmen who are urging that the codification of hundreds of Federal laws be put on the back burner until the next session of Congress.

Representative Ted Weiss (D-New York), was joined last month by Representatives Ron Dellums (D-California), Ron Paul (R-Texas), Parren Mitchell (D-Maryland) and Ed Derwinski (R-Illinois) in circulating a letter to House members which recommended that the bill to reform the criminal code not be debated this year.

In a separate letter to the N.Y. Times on September 3, Weiss warned that hasty action on the House's 461-page version of the bill could have unpredictable repercussions for generations to come.

He suggested the need for a lengthy and full debate of all of the proposed legislative provisions, a recommendation that reportedly has received the bipartisan support of 34 House members.

Weiss pointed to the controversial nature of some of the bill's features and to the fact that the House Judiciary Committee resolved many of the issues by a mere one or two-vote margin.

The potential threat to civil liberties contained in the Senate version of the bill was alluded to by the congressman, who stated that while codification was commendable in itself, an "omnibus" approach to it was thoughtless and impractical.

A similar view was enunciated in 1978 by Representative James R. Mann (D-South Carolina) who at the time headed the House Judiciary subcommittee on criminal justice. In rejecting the predecessor to the current Senate bill, Mann's subcommittee reported that "the tremendous time, energy and emotion that goes into an omnibus bill results in a tremendous pressure to agree to things in order not to hold up the legislation."

Sound criminal law reform, the report stated, could not be practically accomplished if all the laws were reconsidered at once in a single comprehensive bill.

Earlier this year, Congressional observers noted that if a codification bill was not passed this year, the concept might be scrapped. The Federal reform has been discussed in the Congress for over a decade.

Mildred C. Schuchinger

Ayatollah to be nice to them; DC grilled on Iranian protest

Clashes between police and Iranian demonstrators in the nation's capital this summer have left their mark on the District of Columbia Police Department, as the FBI announced this month that it is investigating allegations that officers used excessive force in arresting 192 of the protesters. Justice Department spokesman John V. Wilson told the Associated Press that the probe was initiated by the Civil Rights Division after newspaper and television accounts of the clashes had raised questions about the conduct of some district police officers. He added that the inquiry was begun before a lawyer representing the Iranians lodged an official complaint.

Washington police are continuing an internal investigation of the incident in which about three dozen persons were injured. Local television coverage of the July 27 demonstration reportedly shows some officers striking protesters with nightsticks.

Reports have circulated that the police are looking into the possibility of sub-

poenaing film or videotape footage from local stations to get a better picture of what occurred, but Wilson declined to comment on the rumors.

It is certain, however, that district police had their hands full during the demonstrations. About 1,500 Iranians representing factions both opposed to and supportive of Ayatollah Ruhollah Khomeini met in the streets shortly after the deposed Shah of Iran died in Egypt.

Fueling the confrontation was the assassination of an Iranian exile leader who was an outspoken critic of Khomeini. He was killed in Washington only a few days before the demonstrations.

The Iranian government had vehemently protested the arrests of the 192 demonstrators and their subsequent transfer to prisons in New York State. All of the suspects were held for a week and released.

Traffic Institute handbook gives cops the ABC's on evidence

Northwestern University's Traffic Institute has put out a fully revised edition of *The Evidence Handbook*, a 276-page volume which is designed to serve as a guide to the types of statements and materials that will be admissible in court.

Prepared by David H. Hugel and edited by Robert H. Reeder, the new version contains a chapter on the legal concept of discovery as it pertains to both criminal and civil cases. The new Federal Rules of Evidence have been integrated into the text wherever appropriate, and the full text of the rules, with revisions as of February 1979, is contained in the handbook's Appendix.

"This book is designed for teaching law enforcement officers the rules of evidence," a publication announcement noted. "However, attorneys, judges, prosecutors and others will find it a very useful source and a starting point for additional legal research."

Among the topics covered in the book are the hearsay rule; presumptions, inferences and burden of proof; expressed confessions; tacit admissions; public records; witnesses; public records, and expert opinion evidence.

For ordering information about the hardbound text, write: Book Department, Traffic Institute, Northwestern University, 555 Clark Street, P.O. Box 1409, Evanston, IL 60204. A quantity discount is available on orders of 25 or more copies.

Major US cities getting killed in early 1980 homicide returns

Murder took no holiday in 16 of America's largest cities so far this year, with Miami reporting a threefold increase in its homicide rate, and Seattle, Honolulu and Memphis each registering more than a 50 percent rise in slayings.

The unofficial figures were compiled in a survey of police departments conducted by the Kansas City Times, which compared homicide rates for the periods from January 1 to September 3 in 1979 and 1980.

Miami fared the worst in the poll, with detectives there marking an increase in murders from 50 in the first three quarters of 1979 to 150 this year.

Overall, the Miami/Dade County area has been plagued by 364 killings so far this year, nine more than in all of 1979. Police attributed the upswing to an abundance of guns, a lack of detectives, increased drug trading, racial tension, and an unusually high number of domestic quarrels.

Following Miami on the homicide rate increase was Seattle with 43 slayings and a 65 percent rise, Honolulu with 47 killings and a 58 percent boost, and Memphis with

120 murders and a 56 percent jump.

Other cities that reported significant increases were Indianapolis, 47 percent with 86 homicides; Denver, 40 percent with 72 homicides; San Jose, California, 38 percent with 43 homicides, and Kansas City, 33 percent with 101 homicides.

The pollsters got some good news, however, from homicide squads in several other metropolises. Pittsburgh registered a 27 percent drop in its murder rate; San Diego's tally declined 22 percent; Atlanta's decreased 14 percent; San Antonio's was down 12 percent.

Commenting on the negative aspects of the poll's findings, Sergeant Les Goss, an administrative assistant to the Kansas City police chief, stated: "It alarms me, but what alarms me more is that we are virtually powerless to stop it, whether it's 100 murders or one."

Grand jury tells LA sheriff: 'Shape up your organization'

The Los Angeles County Sheriffs Department has been picked apart in a report by the County Grand Jury which asserted that the force is long overdue for an organizational overhaul.

Released to the Los Angeles Times by the jury's Audit Committee, the report pointed to several weak links in the department's chain of command.

"The department's top-level organization has a potential need for additional numbers of assistant sheriffs and division chiefs," the panel noted. "However, the span of control below chief is too narrow and a position classification of inspector is not used effectively."

Authored by Audit Committee Chairman William C. Bullock, the report charged that "these two problems cause inefficiency in information flow and decision making."

The grand jury made a decision in suggesting that the sheriff phase out the position of inspector as it currently exists and implement a replacement structure "that places more captains in a direct reporting relationship to division chiefs."

In a related finding, the panel noted that

some divisions within the department "have very low lieutenant-to-sergeant ratios and sergeant-to-deputy ratios."

The department's detective and field operations divisions were singled out in this regard by the report, which stated that "in some cases there are more sergeants than deputies in these investigative units."

To ameliorate the situation, the jury recommended that some of the sergeant's posts be reclassified to deputy positions.

The report, which was one of the final works of the outgoing 1979-80 Los Angeles County Grand Jury, also suggested that Sheriff Peter Pitchess combine his organized crime and special investigations bureaus. There is "little justification for the separate commands," the panel declared.

A related proposal called for the merger of the sheriff department's personnel and employee relations bureaus. The move would involve the transfer of the force's payroll-handling function from personnel to its fiscal services bureau.

In a final recommendation, the grand jury suggested that special recruiting programs be developed to attract more applicants to the department. Apparently, the position of deputy sheriff has become less attractive to job seekers.

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Atlanta force is crawling out of the crime pit

Atlanta's dubious distinction as one of the nation's most crime-riddled metropolises faded somewhat earlier this month, when police statistics revealed an eight percent decline in the city's serious offense rate during the first seven months of the year.

The 1980 figures, when compared to those for a similar period in 1979, showed that there were individual decreases in all major crime categories except one, with aggravated assaults rising 15 percent.

The three other violent crimes—homicide, rape and robbery—showed improvement, decreasing 13 percent, 1 percent and 19 percent, respectively.

All three non-violent crime categories registered declines. Burglaries were off by 11 percent, larcenies dropped 5 percent and auto thefts plunged 24 percent.

In announcing the figures at a recent news conference, Public Safety Commissioner Lee P. Brown warned the city not to be complacent about the downturn in crime, noting that the homicide rate inched up in July for the first time this year.

Citing the "state of the economy" as a cause, Brown noted that rapes, aggravated assaults and burglaries also increased by double-digit rates in July. "Whenever we move into a period of high unemployment, the crime rate tends to go up as well," he said.

The numbers for the month, when compared to those of July 1979, reflected a 14 percent increase in homicides, a 21 percent rise in rapes, a 13 percent jump in aggravated assaults and a 14 percent increase in burglaries.

Despite the increases, July 1980's overall crime rate was 0.1 percent below that of July 1979. Contributing to the trend was a 23 percent decline in burglaries, a 24 percent drop in auto thefts, and a 2 per-

cent decrease in larcenies.

Pointing to the seven-month crime decline, Brown cautioned critics against "looking for any trend or pattern" in the July increases. However, he conceded that it would be difficult in 1980 to match the sharp decline in offenses that Atlanta enjoyed during the last five months of 1979.

"Citizens [must] redouble their efforts to assist us by serving as the eyes and ears of the police and reporting any suspicious occurrences," the commissioner noted.

Brown said that the public's cooperation could be "the key" to solving a rash of homicides and apparent kidnappings involving children, which has become his agency's "number one priority."

Describing the ongoing probe as "probably the most intensive investigation every conducted" by the Atlanta Bureau of Public Safety, the administrator remarked that 17 officers, four agents of the Georgia Bureau of Investigation, and an FBI agent are doing the footwork. He added that lab technicians for Emory University and the FBI, a deputy district attorney, and a Colorado Springs, Colorado, computer expert, who was imported to establish a "computerized tip file," are also involved.

But the commissioner noted that the huge investigation squad was still at ground zero in the probe, and he called on citizens to provide the link that would prove "the possibility of a connection" between the murders of six Atlanta children and the disappearance of four others.

"Someone, somewhere has got to have some information that can be useful to us, regardless of how small or insignificant that information may seem," he said.

So long, Sammy. See ya in Miami:

Local cops in Dade County pack it in for the big time

Several local police agencies in Dade County, Florida, have solved the case of the disappearing patrol officer, that the county's public safety department has been laterally absorbing their personnel to replenish its depleted ranks.

Kicking off a 235-place recruiting drive, the Dade County Public Safety Department has sopped up seven officers from South Miami's 26-member force, two from Homestead, one from Opa-locka, one from Miami Shores, and four of the 158 Florida Highway Patrol troopers stationed in south Florida.

Some of the departments are already beginning to feel the adverse effects of the PSD campaign, with police roll calls becoming less of a group activity throughout the county.

"There are times, even at full strength, that calls outnumber the bodies to answer them," Highway Patrol Captain Jack Carmody told the *Miami Herald* recently. "I find myself completely handcuffed."

The PSD recruiting strategy proves to be economically viable for the agency because officers taken from other agencies in the state do not have to be put through a six-month certification training academy. The campaign also falls within legal and normal procedural bounds since the smaller departments have traditionally supplied officers to the county force, which is headquartered in Miami.

Unfortunately, the Dade recruiting effort is overlapping with that of the Miami Police Department, which is looking to fill 200 vacancies. "The thrust is that they need officers and they need them quickly, so they are looking for lateral transfers they can put out on the streets," said South Miami Police Chief Hank Selsky. "But right now, the municipalities are getting hurt. It puts us in pretty bad shape."

Selsky appears determined to insure that his force will not be sucked dry by the Dade recruiting sponge, however. He is binding his officers with a two-year contract which specifies that if they leave within that period, they must repay the city for sending them through the Dade

Police Academy.

But the South Miami gambit has not prevented the PSD from capturing some additional men. PSD Assistant Director Robert Dempsey told the *Herald* that two officers bound by the South Miami contract recently began patrolling for his force and that two others had been turned down.

Defending his hiring policy, Dempsey noted that the two who are working for Dade will pay back their training expenses to the smaller force. "We're certainly not raiding South Miami," he said. "The contrary is true."

Meanwhile, Selsky and other city officials are waiting for their money, which they claim amounts to \$6,400 for each

officer lost. "It is not fair for the citizens and taxpayers of South Miami to pay for the training of police officers when their skills and knowledge will be applied in unincorporated Dade County," Selsky asserted.

Several local chiefs noted that their men are being lured away by a Dade triple threat consisting of higher salaries, better benefits and improved opportunities for advancement. "You just can't keep up with the disparity in salaries," the Highway Patrol's Carmody complained.

Police Chief Robert Ingram of Opa-locka used stronger terminology. "They're hijacking my men and we cannot survive this competition," he declared.

Saved by the Congressional bell?

House panel delays Washington layoffs

The House Appropriations Committee has issued a reprieve to 204 District of Columbia police officers who were scheduled to be laid off later this year, stating that the force should be maintained at its present strength to deal with a "recent upsurge in the crime rate."

Engineered earlier this month by Representative Charles Wilson (D-Texas), the unprecedented Congressional action suspended a plan by Mayor Marion Barry to trim his police department's budget by cutting officers who have the least seniority.

The mandate said the mayor cannot reduce the force below 3,880 uniformed officers and 543 civilian employees without getting direct approval from the House and Senate subcommittees that review the city's funding.

But Barry may have second thoughts about diluting the potency of his police force even without Congressional prodding. Preliminary D.C. crime figures for August showed a 32.7 percent jump in serious offenses over the same month a

year ago.

According to the *Washington Post*, the number of major crimes reported in the city now averages more than 200 per day, representing the highest daily average in almost a decade. A total of 6,541 serious offenses were recorded by the police last month, compared to 4,860 in August 1979.

Although both Barry and Police Chief Burtell M. Jefferson declined comment on the crime climb, police officials told the *Post* that inflation, unemployment and increased availability of heroin and other illicit drugs played a part in the upsurge.

The jump in the offense rate was most apparent in the homicide and robbery categories, with murders more than doubling from 12 a year ago to 25 last month, and robberies increasing from 530 in August 1979 to 1,000 last month.

The rise in the two violent crimes was particularly noteworthy in light of a recently released study by the U.S. Conference of Mayors, which reported that the District of Columbia's tough gun-control ordinance had been making strides in reducing violent crime. Unfortunately, the

preliminary figures did not illustrate how large a part handguns are playing in the ongoing crime wave.

Tallying the August-to-August statistics for other crimes, the police reported that burglaries increased from 1,089 in August a year ago to 1,715 last month, larcenies rose from 2,525 to 2,850, and auto thefts jumped from 300 to 510.

The two remaining violent crimes registered smaller increases. Aggravated assaults increased by 20, from 285 in August 1979 to 305 in August 1980, and rapes were up by 6, from 40 to 46 for the monthly comparison period.

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Detroit layoffs bring racial strife to the hard-hit force

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spokesman Tom McPhail gave Law Enforcement News a different version of the story.

"Those are not necessarily laidoff police officers," he asserted. "There were some; how many I can't tell you. This was a demonstration by a group of black police personnel. They were venting their frustrations against the union."

Suggesting that the Guardians had targeted the DPOA as a scapegoat, McPhail noted that "some of these guys wanted us to go in and get their seniority dates changed, claiming that we were responsible for them not getting hired when they first applied."

The union spokesman declared that such a charge "doesn't even merit comment," since the association does not have the authority to decide how many officers get hired, or the procedure by which recruits are hired.

Mayor's bailout plans rejected

However, DPOA officials did balk at two plans by Mayor Coleman A. Young which were designed to soften the layoffs affects on affirmative action gains. "One was that we use a two-seniority-list system — one list for whites and one list for blacks — to make the layoffs," McPhail noted. "We rejected that out of hand and said that we have always had a seniority system here; it's part of the collective bargaining system, and we stand on it."

The mayor's second proposal would have eliminated the need for layoffs, which reportedly will save the financially strapped city \$27.6 million in the next 10 months. Young suggested that all patrol officers take pay cuts to reduce the force's personnel budget by 13.8 percent.

But McPhail contended that the figure is deceiving. "It's more than a 13.8 percent reduction in pay," he remarked. "That would include the salaries of superior officers and civilian personnel, except that

their pay wouldn't be cut. The PO's would have to make up for it."

The spokesman did not seem too concerned about the impact of the Guardians Association protest, noting that DPOA officials had declined an invitation to meet with the demonstrators and discuss their demands.

"The upshot of the Guardians thing is that the group is predominately a supervisory-controlled organization," he said. "The present president is a sergeant and the past president is an inspector. In all our labor disputes with the mayor, they pretty well followed the City Hall line."

Layoffs said to be last resort

Presenting the Police Headquarters line in regard to the layoffs, Inspector Vasiloff indicated that Police Chief William Hart attempted to keep furloughs to a minimum by ruttng other areas of the police budget to the bone.

"We reduced things like vehicle fleet purchasing — our fleet will be reduced this year," Vasiloff explained. "Our travel, our uniforms, our leasing, our contractual services, all these things have been cut back. But those are minimal savings compared to what you save on manpower."

The inspector estimated that personnel payroll costs represent about 95 percent of the Detroit police budget and that "the only real substantial savings" could be made in that area. "There was no option," he stated.

With their backs to a wall of layoffs, Detroit executives developed a "backfill" plan to keep as many officers on the street as possible.

"We ended up moving, to and from different locations, approximately 700 men," Vasiloff noted. "Most of the layoffs hit the precinct operations so it took many of the bureaus that are not involved in precinct functions and moved officers out of those to precincts."

While Vasiloff pointed out that the transfers would hurt the investigative



UPI Newsphoto

Members of the Guardians Association of Michigan picket outside the offices of the Detroit Police Officers Association (DPOA), protesting layoffs which effectively cut the percentages of blacks and women on the force from 40 to 25 percent.

functions, he said that the force's homicide and sex crime units "were not touched" by the reorganization effort, but that the squads did lose officers to the furloughs.

The maintenance of an effective homicide squad must be a key consideration of the police administration, since it was recently reported that Detroit's murder rate increased 25 percent during the first eight months of 1980, after having steadily declined over the past three years.

From plainclothes to basic blue

Noting that the precincts lost a "substantial number" of troops, Vasiloff said that individual sector losses ranged "from a low of 45 to a high of 73." As a result, "hundreds of detectives" were put back on the street in uniform, he noted.

The inspector pointed out that the precinct backfill program took a significant toll on the department's uniformed firearms training unit and personnel division. "People will have to wait longer for things like that. Individual citizens will have to wait longer for reports and identification things. The planning was cut, as were certain other support services."

Although he noted that it was too early to tell how the layoffs will affect the city's crime and clearance rates, Vasiloff indicated that he doesn't expect any major problems in that area. "We're not having a bad month now," he said. "We're running roughly 70,000 calls per precinct per year, and we usually end up dropping about 12,000 calls citywide. We've reduced that substantially already so we're moving in the right direction."

The direction that the post-layoff force will take has been laid down by Chief Hart, who ordered that precinct resource management will no longer be left up to local commanders.

"The commander had his own turf, and how he patrolled it, as long as he met his calls for service, was up to his discretion," Vasiloff commented. "Since we have been hit so hard, the chief directed specific assignments for individuals — the number of people who work inside each station per shift, how many minimum cars per shift will be placed on the street."

The controlled assignment aspect of the restructuring is computer powered, using a data processing system that the department installed several years ago. "We had been using it in more of an advisory program for our manpower and resource allocation," the inspector explained. "We're now making that mandatory. We're trying to use more of a power platoon than ever before."

...Lines from the front...Lines from the front...

Surveying the LEN survey

To the editor:

Rather than cut up my L.E.N. of August 11, 1980 to send to the gun control survey, I'll answer it in this letter.

1. Bad Question. If you mean, laws that are aimed at criminal misuse of "guns" (mandatory two years for using firearms in a crime.) Yes. If you mean laws that are aimed at ownership of or carrying firearms, No. Sureness of punishment is a better deterrent than another law for the criminal to break.

2. Bad Question. Not a yes/no question. To say yes to some form of constitutionality of gun control laws could be used to push for more gun control laws. "You agreed that this is constitutional, so this is." To say no to the question may allow all types of arms to be sold to the general public.

3. It would not benefit. Prior to 1968, the B.A.T.F. was a hard working but small law enforcing department of the Federal Government. With the passage of the Gun Control Act of 1968, the department became B.A.T.F. and grew "like topsy". There are various legal questions being raised about the actions of the B.A.T.F. in enforcing the act — serious constitutional questions at that. Would a stranger law on the Federal level reduce the actions of the B.A.T.F. or some new agency formed to enforce the law? I doubt it, because Congress has been hard pnt to investigate or stop

the abuses of constitutional rights by the B.A.T.F. acting under the color of the Gun Control Act of 1968.

4/5. Another set of neither yes nor no questions: I have yet to hear/read/be-in-on a case that was solved because a firearm that was found at the scene of a crime was traced back to the owner/criminal (not saying the gun owners are all criminal). Registration of firearms has only helped in returning recovered firearms to their legal owners. I'm very much against the registration of pistols or rifles with the Federal Government for the reason stated above and in the answer to question 3. I fear the excesses of the B.A.T.F. Shown in "enforcing" the Gun Control Act of '68 when local departments cannot turnover to them. Cases involving arms that were violations even before 1968 — such as sawed off shotguns or full-automatic arms. I can only say yes to the questions if on a limited state level with great safeguards for the gun owner. I must say no to registration on the Federal level and even state level if there are no safeguards for the honest gun owner.

6. I am a moderate-conservative-liberal; the political philosophy I embrace depends on the question. In this case I am of "government that governs least governs best" school. (Thomas Jefferson school of government philosophy).

7. I am a line officer student. I am also a student of history and government. It

would seem that by passing some of the laws suggested the government is blaming an inanimate object for man's actions, attempting to cure a symptom and not the disease and failing to study the history of other civilizations (Rome fell after private ownership of arms was at least discouraged).

Sincerely,
JAMES B. VOILINK
Madison Heights, Michigan

EDITOR'S NOTE: There's still time to return your completed gun control survey. An analysis of the returns will be published in the October 27 edition of Law Enforcement News. We'd appreciate your opinions.

Carter's LEAA Gamesmanship

To the editor:

Jimmy Carter's anti-LEAA stand seems very paradoxical. While indicating through his budget-cutting actions that the Federal government has no role in criminal justice reform, he nevertheless is relying on LEAA funds to establish new police policies regarding minority shooting situations. Apparently Mr. Carter is interested in the improvement of the criminal justice community when it is to his political advantage.

Sincerely,
DENNIS E. STEWART
Charleston, Illinois

= SUPREME COURT BRIEFS =

By AVERY ELI OKIN



In recent years the Supreme Court, with its decidedly conservative leanings, has been quite reluctant to interfere in the day-to-day activities of criminal justice professionals. Only when practitioners have continued to ignore warnings expressed in the Court's plenary decisions has the Court been forced to act.

During the 1950's and 1960's, under the leadership of Chief Justice Earl Warren, the Supreme Court systematically set aside criminal convictions where the record indicated that a defendant's fundamental rights had been flagrantly abused by police officers. Many of the Court's decisions during that period were based upon the notion espoused by Justice Benjamin Cardozo in 1926 while a member of the New York Court of Appeals: a criminal has to go free when "the constable blundered."

With the appointment of Chief Justice Burger, the Supreme Court has resorted to much more sophisticated tactics which impress upon police officers the need to heed the directives of the Court while not necessarily allowing the guilty criminal to go free. Two recent decisions by the Court, which are indicative of the new approach are analyzed below.

Civil Rights Action

In a unanimous decision, the Supreme Court has held that in an action under Title 42 U.S.C. §1983 the party claiming the injury does not have to allege that the defendant acted in bad faith in order to file a claim for relief.

As noted by Associate Justice Marshall, who delivered the Court's opinion, an action under Title 42 U.S.C. §1983 is usually brought against a public official, who may,

as a result of his or her position, be entitled to qualified immunity.

Section 1983 specifically provides:

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the constitution and laws, shall be liable to the person injured in an action at law, suit in equity, or other proper proceeding for redress."

Relying on this statute, a police officer brought an action in the present case against the Superintendent of Police of the Commonwealth of Puerto Rico, contending that the Superintendent had violated his procedural due process rights in discharging the officer.

In 1975, after the officer had been on the force for seven years, the officer informed his supervisor in a sworn statement that two fellow agents had offered to give false evidence in a criminal case under investigation. Following his supervisor's receipt of the sworn statement the officer was transferred from the Criminal Investigation Corps to headquarters and soon after to the police academy. While he was stationed at the police academy the superintendent ordered an investigation of the case. The legal division of the police department found all of the officer's factual allegations to be true.

The following year the officer was subpoenaed to give testimony in the criminal case involving the allegedly false evidence. The police officer testified that the evidence was indeed false.

Shortly after the officer's testimony, the superintendent presented information to the appropriate authorities, who filed criminal charges against the officer for the "unlawful wiretapping of the agents' telephones." The following month the

superintendent suspended the officer and in July he discharged him without a hearing.

In October 1976, the District Court of Puerto Rico found no probable cause to establish that the officer had unlawfully wiretapped the agents' telephones. The Superior Court affirmed that finding.

Following these judicial rulings, the officer sought review of his discharge before the Investigation, Prosecution and Appeals Commission of Puerto Rico. The commission revoked the discharge order and ordered that the officer be reinstated with back pay.

Shortly thereafter the officer brought the present suit against the superintendent "contending that his discharge violated his right to procedural due process, and that it had caused him anxiety, embarrassment, and injury to his reputation in the community."

Utilizing Rule 12(b)(6) of the Federal Rules of Civil Procedure, the superintendent moved to dismiss the officer's complaint against him on the grounds that the complaint failed to state a cause of action. The District Court granted the motion, which was affirmed by the Court of Appeals for the First Circuit. Both courts reasoned that since the superintendent was entitled to qualified immunity for acts performed in good faith within the scope of his official duties any complaint against him would have to allege that he had been "motivated by bad faith." Since the officer's complaint had not alleged bad faith, the courts decided that the complaint had to be dismissed.

In reversing and remanding the case to the Court of Appeals, the unanimous Supreme Court noted that nothing in the language of §1983 or in its legislative history suggested that in order to state a claim of relief the plaintiff must allege bad faith on the part of a defendant. Succinctly, the Court urged that "two — and only two — allegations are required" to state a cause of action under the statute. The plaintiff must only allege that someone deprived him of some Federal right and that the person who deprived him of the right did it under some state or territorial law. (Gomez v. Toledo, No. 79-5601, deci-

sion announced May 27, 1980.)

Right to Counsel

By a vote of 6-to-3, the Supreme Court has ruled that the Sixth Amendment guarantee of right to counsel was violated by the admission at trial of incriminating statements made by the defendant to a cellmate who was actually a paid government informant.

The decision, announced by Chief Justice Burger, served as a warning to Federal law enforcement officials, and administrators of correctional facilities that the members of the Supreme Court have become less tolerant of the continuing abuses of inmates' due process rights.

In August 1972, the Janak Branch of the United Virginia Bank/Seaboard National in Norfolk, Virginia, was robbed by two armed, masked gunmen. Found in the getaway car was a signed rent receipt and lease bearing the defendant's signature. The defendant and another man were arrested following the discovery by police of fibers of guns, masks, and the proceeds of the robbery at a rented house.

Following an indictment for armed robbery pursuant to Title 18 U.S.C. §2113(a) and (d), the defendant was held pending trial in the Norfolk County Jail. Housed in the same cellblock was a convicted forger, who for four years had provided confidential information to the Federal Bureau of Investigation as a paid informant.

Shortly after the defendant was admitted to the Norfolk County Jail, a local F.B.I. agent contacted the informant. The F.B.I. agent told the informant to be alert to any statements made by Federal prisoners awaiting trial. The informant received specific instructions not to initiate any conversations with the defendant or to question him about the bank robbery.

After his release from jail, the informant told an F.B.I. agent that the defendant had discussed the Janak bank robbery in detail. The informant was paid for this information.

The following spring the defendant was tried, and among those who testified as a

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New IACP leader says groups' economic foundation is sound

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himself in his position as executive director."

There has been speculation over the past few years that the association's financial picture is somewhat less than rosy, fueled by the sale of IACP headquarters in Gaithersburg, Maryland and the continued refusal of the membership to approve a dues increase.

Quinn gave a realistic appraisal of what he expects the economic outlook to be during his term. "We want to stay active in grants that we're working on and hope we can hang on to them," he said.

A more optimistic view was presented by IACP Public Information Director Robert Angrisani. "The income from contracts and grants this past year has been greater than at any time in our recent past," he asserted. "So, we're not looking at a bad financial picture over the early term of the 1980's."

Both Quinn and Angrisani agreed that IACP's divestiture of its Gaithersburg headquarters would be a monetary plus. "The IACP building has been sold," the press official told Law Enforcement News. "We will be in a mortgage-free building very soon, taking into consideration whatever construction tie-ups might occur."

The new IACP president is determined that the move to the new headquarters will go smoothly. "One of my projects will be to see that building completed," he stated. "I don't know if it will be completed during my presidency, but it will certainly be completed while I'm still on the board as immediate past president."

The second matter affecting IACP's financial health, the proposed dues increase, was again put on the hallot at the conference. Although the final vote was not tabulated before Law Enforcement News went to press, Angrisani appeared confident that the resolution to raise the annual enrollment fee from \$35 to \$50 would be approved.

"It appears to be supported by several state [chiefs] associations that took up the issue during their annual conferences this summer," he said. "We do have some resolutions from the state associations offering support for the dues increase."

Angrisani asserted that IACP would not be severely wounded if the increase failed to clear, but he conceded that "it would make it more difficult" to operate.

"An extra \$15 per member would help the membership services greatly," he noted. "However, the financial condition of the association will not suffer greatly if it doesn't pass."

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China following a zigzag course in dealing with crime; Bolivia gets tough with drug runners; Toronto settling police officer pay dispute

Chinese police get guns, as officials get crime heartburn

Conflicting signals regarding the success of China's ongoing crackdown on crime radiated from Peking this summer, with a government publication proclaiming an eight percent drop in the nation's monthly offense rate while authorities began arming police for the first time in a decade.

According to a new weekly magazine, *China's Legal System*, the eight percent crime reduction occurred from May to June in the 162 cities that were surveyed, with robberies registering a 26 percent decline. Figures on the actual number of offenses were not released.

In July meanwhile, Chinese officials lifted a 10-year ban on police carrying pistols and other weapons while on duty and there were official reports of Army units aiding police in patrolling the streets.

The seriousness with which the Chinese are taking the campaign against crime may be reflected in the number of executions that were carried out in the past several months. In an examination of official press and courthouse notices, a Washington Post correspondent discovered that at least 198 persons were subjected to the death penalty in the year ending June 30.

Most of the criminals who were dis-

patched with the traditional pistol shot to the back of the head did not die for their political beliefs but for crimes ranging from murder to gold speculation. However, it was pointed out that some appear to have suffered because of their ties to Communist Party factions now out of power.

The executions, some of which have been televised, are apparently designed to raise public indignation against a wave of violent crime. Peking Mayor Lin Hujia recently told a meeting of the Municipal People's Congress that residents were afraid to walk the streets at night and that criminal gangs ruled some neighborhoods.

According to the *Post*, a foreign visitor to the eastern city of Jinan last month reported a heated battle between two youth gangs armed with clubs. The fighting stopped when the youths saw him approach, but the street was already stained with blood, he said.

Chinese streets are unusually safe for foreign tourists since most criminals realize that crimes against foreigners can bring harsher penalties than usual. Although specific crime statistics are not released, major Chinese cities are thought to have far lower violent crime rates than their American counterparts.

However, officials are apparently not satisfied with such comparisons and are



taking a hard line on the crime rise. "Some criminals have robbed people in broad daylight, freely murdered and committed other violent crimes, raped women and stolen public and private property," Shanghai's *Liberation Daily* noted. "People who live in ground floor apartments dare not even leave their laundry outside to dry. The thieves are everywhere."

Although it did not refer to the high rate of executions, the Ministry of Justice attributed the recent drop in urban crime to "more than a half-year's strengthening of social order."

While most of the criminals executed in the last year had been convicted of murder and rape, some had committed crimes not associated in the West with capital punishment, including armed robbery, drug trafficking and gold speculation.

Chinese justice is not without mercy, however. The *Post* survey of death notices revealed that 214 condemned prisoners appealed their sentences and received an unusual reprieve. The sentences were suspended for two years, with the understanding that if prison officials find that the inmates are sufficiently repentant their death sentences may be commuted to life imprisonment.

Politics still plays a large part in the meting out of Chinese justice, despite the implementation of new legal codes. In one case, a party secretary was executed for embezzling \$350,000 from the fuel company where she worked. The harsh sentence may have been due to her former ties to a radical Maoist clique that was purged in 1976.

Bolivian leaders tell courts to hang drug traffickers high

The military government of Bolivia has made it clear that it will not tolerate the continued growth of the nation's illicit narcotics trade, recently ordering that persons convicted of manufacturing or trafficking in cocaine be put to death.

The drug death penalty was announced by Interior Minister Colonel Luis Arze Gomez about a month after the U.S. State Department and the Drug Enforcement Administration had pulled their antidrug operations out of Bolivia.

According to Agence France-Presse, Gomez also assigned five other crimes to capital punishment status, announcing that convicted terrorists, conspirators, political agitators, extremists, and speculators would be put to death. Previously, capital punishment had been

reserved for the crimes of parricide, high treason in time of war, and murder.

Metro police group ready to face the tooth in new contract

Police in Toronto are well along the road toward settling a contract dispute with city officials which had resulted in a two-week parking ticket slowdown last month, according to the head of the major patrol officers union there.

Mal Connolly, president of the Metro Police Association, told the *Toronto Star* recently that he expects his rank and file to ratify an annual wage package of \$27,000 in mail balloting later this month.

The pay figure represents a \$3,000 raise for a one-year contract beginning next January 1 and is exactly the same wage the 5,500 officers turned down on August 10, when they staged a "work-to-rule" action by not rigidly enforcing parking regulations.

But Connolly predicted that the officers would bite on the offer this time because the city has thrown in improved dental care benefits totaling \$174,000, or about \$31.60 per officer. The plan was approved by a preliminary hand vote at a recent union meeting.

In the original package, the city was only a \$100 short in the salary demanded by the troops, who wanted pay parity with Montreal officers. "We were down to only a \$100 difference in salary," the union leader said. "I think the [Toronto] Police Commission has acted pretty reasonably."

Although he noted that he "got out of the predicting business some time ago," Connolly indicated that the dental plan offer would be a toothsome incentive to as many as two-thirds of his members. "There were some people who thought we lost the principle of the thing," he said of the 1,750 officers who attended the meeting. "But I think we found the graceful way out."

The association president was concerned over the small turnout at the meeting, noting that there was "no reason why we shouldn't have had 4,000 people jamming the hall." But he noted that members who fail to attend such gatherings usually agree with the proposals in the final mail vote.

Commenting on the two-week traffic ticket slowdown, Connolly deemed it unfortunate but noted that "it was a course of action we had to follow." He added that if there was "any loss of public support or image" because of the work action "I hope we can regain it."

POLICE STUDIES

Now in its second year of publication, *Police Studies: The International Review of Police Development* has established itself as a forum for researchers and scholars to discuss international law enforcement issues. *Police Studies* provides an exchange of ideas and techniques from contributors in police departments and academies and in universities and research centers. Among the topics discussed in articles are: police agency size, crime prevention, the role of the police executive, terrorism and the media, police collective bargaining, college education for police, the role of detectives in the police work, Victorian police, attitudes toward women police, productivity studies, and studies of police patrol work.

In accordance with the international scope of *Police Studies*, a number of articles have appeared in it concerning the police in foreign countries. During the last year and a half, articles have been published on the organization and functions of law enforcement agencies in England, the Federal Republic of Germany, Denmark, Canada, France, Scotland, Israel, and Japan. For scholars and police administrators interested in comparing American law enforcement organization with police in other countries, these articles have provided useful, alternative solutions to social and organizational problems facing American officials.

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Gains in police technology short circuited by bug bans

Legalization of wiretapping and bugging has been a long time in coming. Those who opposed legalized technical surveillances have done so from the standpoints of constitutional and public policy arguments, contending that wiretapping is an invasion of privacy. Fundamentally,

PUBLIC FORUM
By THOMAS F. COON

they hold that the Fourth Amendment's prohibition against unreasonable searches is violated.

Detractors have also complained about what they described as reprehensible police methods. Justice Holmes, dissenting in the famous *Olmstead v. United States* case, issued his much quoted statement in which he said it was unseemly for police officers to "have a hand in such dirty business." It was also claimed by the opponents of legalized wiretapping by law enforcement agencies that the authorization of wiretapping would stifle freedom of communication. There was other persuasive opposition.

On the other hand, however, the nation was crying out for law enforcement practitioners to be given a tool that had some effectiveness. O.W. Wilson, the prominent law enforcement educator and former Superintendent of the Chicago Police Department, maintained that wiretapping was the only effective tool against organized crime. "To get to the higher-ups in organized crime," he said, "it is necessary to peel off several layers of protective covering surrounding the hard core of leadership." The code of the underworld rules out testimony of accomplices against their partners in crime. Penetration of the mob by undercover men is difficult and infrequently achieved. Wilson concluded, therefore, "If the higher-ups in our organized crime rackets commit their crimes primarily by using the telephone, why shouldn't law enforcement be permitted to intercept their telephone conversations and use this evidence against them?"

Back in 1941, President Franklin D. Roosevelt, the hero of all libertarians, discerned the need for this activity and authorized limited wiretapping in national security cases (although the information obtained could not be used as evidence in any Federal prosecution). Former U.S. Attorney General William P. Rogers, who

served in the Eisenhower Administration, stressed the need to wiretap in cases of spies, saboteurs and other subversives. Another former Attorney General, Robert F. Kennedy, also stressed the need for this tool in the criminal area. The late Frank Hogan testified that his New York District Attorney's office had hundreds of cases which resulted in convictions through information obtained by means of legalized wiretapping in New York State. Wiretapping was legal in New York under a limited number of circumstances but the fruits of the taps could not be used as evidence.

The national pressure was so great in favor of legalized wiretapping, however, that Congress overwhelmingly passed permissive legislation under the Omnibus Crime Control and Safe Streets Act in June 1968. Under Title III, governmental eavesdropping is currently permitted. Federal and state officials were empowered to intercept wire and oral communications under specified conditions with safeguards designed to protect the right of privacy.

The results have been outstanding. With the use of evidence obtained through wiretaps and bugs, and adduced in trials, many of the nation's top members of organized crime have been introduced to the prison lifestyle. This was once a rarity. Senator John C. McClellan commented, "It is seldom that an individual is privileged to see successful results mature so quickly from his efforts to strengthen the hand of law enforcement in dealing with the forces of crime and corruption."

My own experience and observations are that law enforcement agencies have conducted themselves very responsibly in carrying out the law. This is very important. Indeed, there are many times when agencies have abstained from seeking permission to wiretap because it is a public phone involved, because a labor leader or politician is implicated or because the law enforcement agent might have to listen to too many conversations of innocent persons. There is fear of adverse public reaction if anything goes wrong in these cases, even in the smallest measure. There is also apprehension over requesting too many taps, and restraint has been exercised in this direction.

Nevertheless, there is unremitting criticism of law enforcement participation in this delicate area. The late Justice Douglas, Justice Brennan and Justice

Marshall unflinchingly ruled and continue to rule against law enforcement agencies in wiretap and bugging decisions. The American Civil Liberties Union is unyieldingly opposed to the utilization of wiretaps. There are others who did not initially want permissive legislation and are now working vigorously to turn back the clock. There is an alignment of many such persons and groups who advocate civilian review boards, the abolition of confessions in criminal cases, and a curtailment of the powers of the FBI and CIA, among other missions of questionable merit.

Edith J. Lapidus, in her book *Eavesdropping On Trial*, commented, "Americans must live with it [the right to tap and bug], at least until Congress repeals it, the Supreme Court declares it unconstitutional, or the Executive orders its agencies not to use it. Since none of these events are likely in the foreseeable future, public attention must be directed toward minimizing invasion of privacy and maximizing meaningful law enforcement by correcting weaknesses in eavesdropping law and practice. The following steps are urgent if liberty is to hold its own against law and order:

- "1. Clarify ambiguous provisions of Title III of the Omnibus Crime Control and Safe Streets Act of 1968.
- "2. Limit eavesdropping to organized crime and serious offenses.
- "3. Establish uniform procedures and standards for state and Federal officials.
- "4. Improve reporting requirements.
- "5. Check Federal and state practices periodically."

There seems to be an unyielding pecking away at the right to use wiretaps, regardless of the desires of the nation, with the objectives of restriction or abolition. Some endeavors appear to get into the area of inanity but it is done all in dead seriousness. In a recent U.S. Supreme Court decision, the Court ruled that results of a telephone wiretap in a criminal investigation are admissible in court even if most calls overheard by police were not relevant to the investigation. In a 7-2 decision, the majority said a one-month wiretap on a home phone in a narcotics investigation was legal though only 10 percent of the calls were found to be related to drug transactions. The shocking aspect of this case is that two Justices, William J. Brennan Jr. and Thurgood Marshall,

argued that the evidence should not be admitted.

There emerges the nuance that racket men have one phone for racket conversations and one phone for personal conversations. The very obvious concept that top racket men indeed all racket men exercise the epitome of discretion when using a phone is completely overlooked.

It is common knowledge to all law enforcement practitioners who have labored in the vineyards of taps and bugs that conversations come out something like this: "I'll meet the guy at the place at 10 tomorrow. We'll take care of that matter then. I'll bring the big guy with me." When someone begins to venture into indiscretion, the "smart guy" generally bellows, "knock it off, you dumb S.O.B. — not on the phone."

Patience is the name of the game. A racket man comes home drunk and carelessly blurts out a "bombshell" or a "dopey guy" talks — and it generally explodes through in a long innocuous personal conversation. Former Congressman Emanuel Celler of New York, a vigorous opponent of eavesdropping, once stated, "How can police stop listening when the conversation is irrelevant?" They don't know whether or not it is irrelevant unless they listen, and it may be irrelevant one moment and relevant the next. They must continue to listen, because in the next moment something pertinent may be said. If they shut it off they may miss something they want to hear."

He was arguing against wiretapping but his statement in assuredly true. Legislators would have to be living in an Alice-in-Wonderland world if they did not know this when they enacted the law. Judges have to be consummately naive if they don't know that members of the Cosa Nostra exercise extreme discretion when speaking on the phone. The "bombshell" of indiscretion is what wiretapping is all about. I thought everybody knew that. Some of these court opinions on eavesdropping, however, appear curiously juvenile. One is embarrassed for the judges who are writing the opinions.

(The author is a former president of the Society of Professional Investigators, Inc.)

Write on

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Supreme Court Briefs...

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state witness was the paid informant. Based principally on the informant's testimony the jury found the defendant guilty. A sentence of imprisonment for 25 years was imposed and sustained upon appeal.

Three years later, when the defendant learned that his cellmate was in fact a paid government informant, he entered a motion in the District Court seeking to vacate his sentence, based on the contention that the testimony of the paid informant violated his Sixth Amendment right to counsel. The District Court denied the motion without a hearing. On appeal the Court of Appeals ordered the District court to conduct an evidentiary inquiry to determine "whether the witness was acting as a government agent during his interviews" with the defendant.

At the conclusion of the inquiry, the District Court again denied the defendant's motion, holding that the informant's testimony did not violate the Sixth

Amendment. The Court of Appeals reversed the District Court a second time and remanded the case. In reaching its decision, the appellate court reasoned that if the informant had "developed a relationship of trust and confidence" with the defendant and as a result of this the defendant had made incriminating statements that would have been interference with the right to counsel.

Legal precedent for the Court of Appeals ruling was found in the 1964 Supreme Court case of *Massiah v. United States*, 377 U.S. 201, where a criminal conviction had been reversed because a government agent had "deliberately elicited" incriminating statements.

In affirming the decision of the Court of Appeals, the Supreme Court majority found that facts in the present case established that the paid informant "deliberately elicited" incriminating statements. Crucial to the Court's determination, according to the Chief Justice, was the fact that the informant was on a

contingent fee basis. That is, the informant was only paid if and when he produced "useful information."

Associate Justices Blackmun and White dissented, arguing that the paid informant did not "deliberately elicit" incriminating statements but rather acted merely as a passive cellmate who heeded the FBI agent's instructions not to question the defendant about the robbery.

Filing a separate dissent which ran longer than the majority opinion, Associate Justice Rehnquist expressed his belief that there is no Sixth Amendment violation "when the accused's cellmate initiates conversation with him, and the accused makes incriminatory admissions." Justice Rehnquist concluded that it did not matter if the cellmate was a paid government informer, since the defendant believed him to be an ordinary cellmate, and the defendant was predisposed to talking about his criminal activities. (*United States v. Henry*, No. 79-121, decision announced June 16, 1980.)

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An interview with Chief Thomas C. Younce of the Fuquay-Varina, North Carolina police

Thomas C. Younce has headed the Fuquay-Varina, North Carolina, Police Department since August 1977, commanding a force of ten sworn, six auxiliary and one civilian personnel with an operating budget of \$200,000.

The 35-year-old executive represents a new breed of small-town police chief, having extensive educational and professional credentials.

Younce received his first taste of law enforcement as a captain in the United States Air Force Military Police, where he was responsible for establishing programs for military reservations.

The lawman joined the Montgomery County, Maryland, Police Department in 1974 after leaving military service. He worked in such areas as rookie field training, traffic enforcement, preventive patrol, and investigation.

Younce moved to the North Carolina State Bureau of Investigation in 1976, working in the arson squad for a year before accepting his current post in Fuquay-Varina.

The chief holds a B.S. in education from Auburn University, an M.A. in criminal justice from George Washington University, and is working toward a Doctorate in public affairs at North Carolina State University.

This interview was conducted for Law Enforcement News by Erika S. Falchild.



Thomas C. Younce

LEN: The media stereotype of the rural, Southern law enforcement official has not always been very flattering. As a Southerner by birth, and as chief of police in a small town, do you feel that this stereotype is reasonably accurate depicting such officers as ignorant, biased and even corrupt?

YOUNCE: No, I don't think it's true at all. It's changing. You will find that the small, Southern police chief is now becoming better educated. For instance, when I was under consideration for this job, they had about 10 applicants and most of those had some college. In fact, of the final two, both of us had four-year degrees at that time. So I think that negative image is beginning to change as a result of education. You're also beginning to find more liberal police chiefs and police chiefs who are looking toward innovation and who are more acceptable to new ideas.

LEN: What is the major difference between policing a large metropolitan area police force, such as that of Montgomery County, Maryland, and a small Southern town, such as Fuquay-Varina?

YOUNCE: I think part of the biggest difference is the contact with the people. In Montgomery County, you had a population of probably 600-700,000 people, you had

Montgomery County?

YOUNCE: Number one, I think you have to look at the areas. Suburban Washington, D.C., is an area where people are more educated. Down in this particular area, the education of the population from which you're drawing your police officers is lower. There is also a different type of law enforcement problem involved, but overall, the quality of people is about the same. We had some extremely good people in Montgomery County and as a general rule down here you've got an extremely good population from which to draw. That is probably one of the most important things in police work, getting policemen from your particular population area who know the people and who can get along with them. I think perception is the key to police work.

LEN: Do you have personnel problems related to such issues as salary, training, moral, and moonlighting?

YOUNCE: One of the problems we have here, which is finally beginning to be recognized, is that we are essentially a suburban town. Within a 45-minute driving distance, police are offered a starting salary now of

small department, I have the opportunity to try a lot more things because I deal directly with the people, with the officers. I can talk to each individual officer while someone in a larger jurisdiction can't. I can garner their support. Since I've worked in a larger jurisdiction and am now working in a small jurisdiction, I've got the best of both worlds and I can say sometimes it works and sometimes it doesn't.

LEN: How do you interact with your city council here and with the community power structure?

YOUNCE: In general we have a good interaction with the city council. They are actively involved with the police department. Being in a small jurisdiction, it's extremely important that we get along together. We do not have any problems in the area of criminal work as far as interference from the local city government. In the last three years, I have been extremely pleased that they do not become involved in any of these type of activities involving the criminal end of police work. Police work in general is political whether in a large jurisdiction or in a small jurisdiction. The problem in a small town is that everybody knows your business, therefore the city council is actively involved in what is going on in the police department. They probably are a little bit more actively involved than they should be. They become involved in things like productivity measurement and identify those officers that are producing and those who aren't. They became involved in that because some of the officers talked to them about how they felt they were not being treated fairly. They also became actively involved in setting policy in that they control the purse-strings. By keeping salaries down, they reproduce a line-item budget, and a line-item budget identifies what each officer is making. They question policies concerning colors of the police cars, whether it should be blue and white, whether it should be blue. So they become actively involved simply because we are smaller, they know more about what you're doing, and they ask a lot more questions.

LEN: How would you characterize the style of policing in the town you work in?

YOUNCE: I think the so-called watchman style describes the type of policing that's done in these small jurisdictions, simply because they don't have the resources to deal with anything else. We've been attempting, through the use of changes in personnel, to go to more of a service-style orientation within the department. But it still gets back to the point that a small jurisdiction cannot provide the services of a larger jurisdiction. We can't provide an active crime-prevention program; we can't provide investigations of a major type — we have to call in other jurisdictions. As a result, we are basically watchmen, and this creates problems with new people who are educated coming along. The older policeman has been here 15 or 20 years and has accepted that style of policing. The community, to some extent, has accepted that style of policing. You bring in an individual who's aggressive, who's interested, and he institutes a service orientation and it creates some problems within the community. Basically most small Southern police departments are watchman oriented.

LEN: Do you often get applicants who have college degrees?

YOUNCE: Oh yes. In fact, we look at 50 percent who have at least one or more years of college, and most of the officers we hire do have college. We give primary consideration to officers who have college.

LEN: Do you encourage them to continue their education after they are on the force?

YOUNCE: Most definitely. Around here we have many colleges and universities so we work a steady schedule around anybody we possibly can. We look at giving them time off to go to college. In fact, our force runs shifts for specific times so that the officers can go to college. We definitely want them to go.

LEN: Do you have any problems with race relations. Are there any tensions between police and citizens or anything that would suggest that racial peace is really not achievable in a time like this?

YOUNCE: Well, we probably had good race relations up until last March when a white officer shot a black man. That has created some serious problems. We have, in the past, had black officers in the department, but at the present time we do not. One of the problems is a good minority can just about name the place where he would like to go nowadays so we have difficulty recruiting him. That's a

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'Probably one of the most important things in police work is getting policemen from your particular population area who know the people and who can get along with them. Perception is the key to police work.'

an 800 man police department so you didn't have the interaction with the people. Here, you know most of the people in town; they know you; they know all the policemen; all the policemen know them. You've got to deal with the individuals rather than situations. In Montgomery County, you came in and dealt with a situation; you left, and the chances are you never saw the people again. In a small town, you got to be able to deal with the people on the basis of knowing them personally. That is probably the biggest difference and is probably the hardest thing to do, too, because here you're dealing with a person who you know as a friend or as an acquaintance. Not only do you have to deal with them, you've also got to be a lot more confidential because everybody knows everybody else in a small town.

LEN: Do you have a significant crime problem in Fuquay-Varina?

YOUNCE: Not really. Our biggest problem is break-ins, and we had a total of about 60 during the entire year. So in comparison with your larger jurisdictions, it's relatively small. As a uniformed police officer in Montgomery County, I probably handled 60 myself in about a six-to-eight month period. Crime is not really a problem; violent crime is virtually nonexistent. Last year we had two homicides. Both of those were done by acquaintances of each other, and the arrests were made within 30 minutes after the crimes.

LEN: Are there major differences in the type of personnel you have working for you and the type that worked in

\$13,000 through \$15,000 while our starting salary is \$9,800. We have been able to attract some young people by saying we will give them some good training. We tell them: you'll get some experience; we will give you a good recommendation and that is what we offer them. As a result, every two or three years, our entire police department turns over. That in itself presents a real problem to service in a community. We also look at problems of working hours. We are probably as typical as any small town you will find in North Carolina. Our hours generally were 45-50 hours a week, compared to a larger jurisdiction where you work 40 hours a week. Our officers do not receive any overtime compensation and that, in itself, creates a turnover problem for the officers. Frankly, I am surprised we have as many good people as we have with the problems that arise in these things.

LEN: Do a lot of them engage in moonlighting?

YOUNCE: I'd say probably 95 percent of them have to, either that or their wife works and that creates a problem too.

LEN: How would you compare yourself with other police chiefs in North Carolina in terms of background and approach to policing. Do you think you are different or similar?

YOUNCE: I am probably a little bit different. I like to try a lot of new things. I am not saying police chiefs in North Carolina don't try a lot of new things but I think one of the problems we have in police work is that we are not willing to try as much as we should. Being on a small level in a

'The community, to some extent, has accepted the watchman style of police. You bring in an individual who's aggressive, who's interested, and he institutes a service orientation and it creates some problems within the community. Basically most small, Southern police departments are watchman oriented.'

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sore spot within the community. We have an advantage over larger jurisdictions in that we can go out and individually talk to people in an effort to promote racial harmony. Last year, we did a community attitude survey and we keyed in on certain things such as police officers using excessive force. We asked: Should we have no minorities in the police department? Was your particular neighborhood being as well protected as another neighborhood? We didn't find the problem. As a general rule, the blacks felt a little bit better about the police department and watched it. Now the trend, as a result of the shooting situation, is beginning to reverse itself and we are looking at working with the black community in an effort to hire a black officer and strengthen our community relations program. I think our city council will be looking within the next two or three months to work with the black leaders in the community and develop some sort of program in order to promote racial harmony.

LEN: Was it your idea to do a community survey? How did you manage to pull it together and design a questionnaire?

YOUNCE: It was kind of community effort. Number one, we were interested in finding out what the community felt about its police department — how well we were doing our job, and how well they supported us. So we came up with a community attitude survey. We wrote to several departments that have done it before — Menlo Park, California; Chapel Hill, North Carolina, — and considered some other things that had appeared in different periodicals. We went to a law-and-justice class at a high school and worked with interviewers who did our interviewing for us. The local print shop printed up a survey — a telephone survey — and we contacted about 115-120 respondents. We were quite well pleased. The newspaper covered it quite heavily and the public, as a general rule, accepted it. Unfortunately, our city council didn't see it as a tool to develop policy in the future. They saw it as just an attitude survey and they passed it off as it was.

LEN: Do you feel that your education has helped you to develop things like surveys and analyze things?

YOUNCE: Personally I think education is the key to professionalization of policemen in this country. Certainly, it encourages innovation; it provides you with the tools to innovate, and it provides you with a receptive atmosphere for innovation. I really believe education is the key.

LEN: Do you have any women on your police force?

YOUNCE: No, not right now. We have had very few women applicants. We have one we are actively considering now.

LEN: Do you think this will cause a problem in the community?

YOUNCE: I think you have to look at the community as a rule. You are talking about a small Southern town. Women are generally not accepted in police work in the South yet. For instance, the ERA has not been accepted in North Carolina. So I think we will have a problem with the community, although in our community attitude survey the majority of the people said we would like to see women in the police force.

LEN: Have you felt any pressure to try to consolidate with other police departments?

YOUNCE: The pressure is just the opposite. I've encouraged consolidation. In fact, that's one of the reasons I ran into trouble with our city council. We were looking at consolidated communications system for the entire county and we did away with our local dispatching operation in order to consolidate, hopefully to save about a nickel, anywhere from five to eight cents, on the city tax. As a result of this effort, we swept in an entire new city council and mayor because the people just rejected the idea. I think it's a coming thing simply because as taxes start shrinking, police departments are all going to consolidate. We have, within the county, a consolidated city/county bureau of identification if there is a crime syndrome. We use that very heavily. I think we are probably still looking, somewhere down the road, to institute a consolidated communications system for the county.

In the local jurisdiction nearby, they've got one policeman and have had significant problems in filling that post because their starting salary is something like \$7,600 to \$8,000. We have offered to pick up, at about half of what they are paying, the responsibility for policing that community in an effort to help them and also help us. That was rejected. Consolidation is a bad word, I think, in small Southern towns, especially in North Carolina.

LEN: Do you have any specialization in your department

as distinguished between detectives, and patrolman or anything like that?

YOUNCE: No. I think the best service we can provide in the community and in our situations is patrol. I believe the more specialization you have, the less service you will provide to the community. There is a need for specialization in police work when you're dealing with serious crime, such as homicide and rape. But as a general rule you don't need a specialist. A good patrol officer would do you more good and provide you with a better product in the end than any type of specialization.

LEN: What is your idea of a professional police officer? Do you have some concept in mind as to what professionals really mean in policing?

YOUNCE: To some extent the person needs to be what we call a flag-waver. He has to be interested in the community. I don't think all the pay and benefits and everything in the world is going to make a professional. The first thing that's going to have to be there is the interest, and the people that are interested in the job of law enforcement. Professionally, he's going to have to be dedicated, he's going to have to be willing to work for the community and with the community. Another thing as far as the professional police work is concerned he's going to have to be educated. When I talk about education, I'm not talking about a specialization of police science. I'm

'I've encouraged consolidation. That's one of the reasons I ran into trouble with our city council. I think it's a coming thing simply because as taxes start shrinking, police departments are all going to have to consolidate.'

talking about a liberal education; a four-year degree, or something like that, probably ought to be required of a professional.

I think he's going to have to be dedicated to his organization, but I don't mean that he's going to have to go along with everything the organization says. It's going to have to come to the point where he's interested in seeing changes, he's interested in seeing changes for the better, and he's interested in initiating changes and the organization allows him to do it. That's one of the reasons I disagree with specialization, because I think specialization does not encourage innovation in police work.

LEN: I'm interested in your statement that it is important for an officer to have some background in liberal education. As you know, the Police Foundation's report on the quality of higher education for police officers said that a lot of officers were getting education and training that was too highly specialized. I take it you agree with this?

YOUNCE: Oh, most definitely. About 85 percent of the police work we do is service oriented, while 15 percent is specialization. That might vary a few percentage points, but you look at training in police work and 85 percent of it is specialized and 15 percent of it is service. I think the only way there's going to be changes is through a liberal education. A liberal education provides a person with the background knowledge to deal with personal problems of people and it gets away from the specialization.

LEN: Do you belong to any associations of police officials or any group that gets together and talk about policing?

YOUNCE: I'm a member of the International Association of Chiefs of Police and the North Carolina Police Chiefs Association. Those are basically the only organizations I'm a member of. Within our county, we get together and we talk about our problems. We have a communication group, which is a consolidated group of people interested in upgrading communications, specifically the "911" emergency phone system.

LEN: Do you feel that the IACP has done a good job in promoting the police profession?

YOUNCE: Oh yes, in fact it's probably one of the best organizations to come along. Now you've got the Police Executive Research Forum, PERF, which of course I can't be a member of simply because I don't have 200 members in my agency. But I find the Police Foundation has done excellent work. You put all these together and they've done a tremendous job for the police and made some tremendous advances.

LEN: Are any particular journals or newsletters of major importance or help to you in your work?

YOUNCE: Of course the *Police Chief* is the prime mover. You see a lot of innovation in *Police Chief* magazine, and of course the spinoffs provide a lot of information. I think

probably where we fall very short in police work is that we don't go as much as we should to other kinds of journals, especially in private industry. There's a lot of good information coming from private industry. I'm a vice president of a local Rotary Club and we meet with individuals who are leaders within their particular fields, and that's probably providing me with as much information as some of these journals. You can go out and get a lot of information from private industry. They've been doing things for ten years that we are just now beginning to find out about. That's probably one of our shortcomings. Police work is too closed in and again this goes back to education. Better educated officers would get a broader feeling of what we can look at and what we can go into.

LEN: Do you think that police might benefit from not using a paramilitary type of organization?

YOUNCE: Yes, most definitely. In fact, we're down to one sergeant now and when I got here we had four. Pending before our city council now is a career development program which will eliminate the paramilitary-type structure completely. I think that's been a drawback to police work simply because we're service-oriented, and we need to be more flexible in our approach to dealing with people. A paramilitary organization prevents that.

LEN: Do you feel that all of the money that LEAA has poured into police departments and has spent on research

on police methods has benefited your department?

YOUNCE: I don't know if it benefited our department together and we talk about our problems. We have a com-work that's been done in law enforcement in the last ten years — in the 12 years I've been in. LEAA is the prime mover in this. I'm probably going to be blasted for saying this, but I'm kind of happy at the demise of LEAA to some extent. Small jurisdictions had a tendency to go for hardware items. Our particular police department here a few years back went for an investigator we didn't really need, but the money was there and everybody was receptive to it. We got an investigator and he lasted a year because the town at the end of that year didn't want to pick up the program. It wasted a significant amount of money — the taxpayers' money. I think probably LEAA ought to provide us with more innovation and some research rather than providing specific tools. Consider crime prevention, for instance. Instead of furnishing a police department with crime prevention officers, maybe they ought to look at providing research in crime prevention, how well it's doing its job, rather than funding specific items. Go for the innovation; go for the research. If this particular project has been tried in an area and it does work, then provide that police department with the information that was done there and let them do it on their own.

LEN: You've mentioned that you're interested in pursuing a Doctor of Public Administration degree. Do you think that it will be possible to use it in police work?

YOUNCE: Oh yes. I've probably run as far as I can go in this size department. I think the education I get from here on out will probably benefit me more in another organization, in a larger organization. I think, maybe I keep saying this too much — but I think education is the key that's going to open the doors to innovation. It's going to open the door to progressive policing in this country, and the more education our police managers get, the better off they're going to be.

LEN: Have you felt any resentment from the town in the sense that you are constantly pursuing more education, that you have been teaching in criminal justice — the feeling that perhaps you're too involved on the outside?

YOUNCE: Yes, I got the indication several times. In fact, I've had to cut back on some of the things that I had been doing simply because some of the public sentiment towards that. They may feel that I'm not serving the community as much as I should be, that I'm getting too much outside of the community. I think one of the problems we've had as far as community and education is concerned is that we have attracted some officers with more education and as a result our watchman style of policing has changed the service and has affected the community.

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Executive interview: Chief Thomas L. Younce

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Some of the people in our community don't feel we need all this education and that's created some problems. We're beginning to overcome that because they're beginning to see that maybe we are providing a little bit better service now than we were in the past.

LEN: When you first came to Fuquay, did you develop a plan or did you have certain goals in mind for the police department here?

YOUNCE: Well the biggest problem we have in the small police department, especially in this particular area, is turnover. My plan was to come in and develop a base of educated policemen, come up with a career development program that would be compatible with their tax base. We were doing pretty well up until we did away with our dispatching system: when we did away with our dispatching system that was a key turning point in the community's perception about the police department. The city manager didn't realize what we were doing. I didn't realize how it affected the community, and as a result it kind of caught us off guard. It kind of brought our plans to a screeching halt, until we can get back and regroup them and find out exactly what the city was looking for. But our number one goal is to stabilize the department, stop the turnover and then integrate a good career development program.

LEN: How do you communicate with your officers? Do you have regularly scheduled meetings or is it a more informal thing?

YOUNCE: Well, we do both. We generally try to meet once a month, where everybody gets together and we hash out our problems. We kind of like to use the entire police department as our research and planning division. We've had some problem with schedules, so we've gone to the officers and let them work out their own schedules. If we're going to change something, we'll go in and ask the officers how they feel about it. I think that's probably one of the biggest advantages a small department has over a large department.

LEN: Basically democratic administration...

YOUNCE: It really is, in fact as a result of losing a couple of people we just had to change our schedule. The

schedule I had worked out was 8-4, and 4-12, and 12-8, with some variations in it. The officers decided they would rather change at 7, 3, and 11. So, we discussed it, decided fine, no problem at all, and now it's 7, 3, and 11.

I imagine that in the last three years we've changed our schedule probably more often than anybody else. This created some organizational problems. We've looked at 12-hour shifts, which we were in up to about a week ago; we ran them for about 90 days. Now we're going to have to look at fatigue and how after about 10 or 11 hours the officers react. Again, this is just experimentation and being in a small organization we have the opportunity to experiment more than a larger organization does, simply because we can sit down and talk to officers and find out how they're going to feel before they do it.

LEN: What do you find that you spend most of your time on?

YOUNCE: I think mostly getting out in the community. When I first got here we had to do some overhauling in the reporting systems, crime reporting. We also had to do some work with setting up employment standards, of which we had none. Now we've gotten probably to the point where hopefully the organization runs itself a little bit better and I can get out of the office and go downtown and talk to the people, because the people are probably the ones that are going to affect what other changes we need to make now. If we want to bring up our salaries, we're going to have to generate some support within our community. We can do that by going out and talking to the people, picking out your leaders within the community and saying "I need some help and here's why." Most of them are pretty receptive to it. We've got things going pretty well as they should have been going and the organization might be running itself a little bit better, rather than having somebody up at the top running it all the time.

LEN: You were recently given a unanimous vote of confidence by the city council. Could you explain how this developed, and how you felt about this?

YOUNCE: First off, I was pretty well pleased about it, simply because it gave us at least an opportunity to sit down with the council and work out problems. As I said

about the dispatching, when we did away with that part of our police department — in fact, we did away with one police position too — the purpose really was to bring the police department in line with what it should be and hopefully take that money and increase the salaries. But the reaction of the community really was the key. When we got away with local dispatching, in the following elections which was in a five or six months, we elected a new mayor and three new councilmen. We only have five, so we had a new majority in the council coming in. The primary issue was a lack of local dispatchers and as a result it created some problems for me, because I'm the one who recommended to do away with this thing. We sat down with the new members, the mayor appointed a committee, we sat down with the committee and the town manager and worked out our problems. We came to a mutual understanding of where we wanted the police department to go. As a result the confidence vote came about and the city council said we would like you to remain as our chief.

LEN: Well, I'm sure that this is really a boost for you and I think it shows that perhaps there is some appreciation of a change to bring about progress and change. Do you have anything further that you wanted to say about managing a small town police department or the kind of help that's needed or the future of small town police?

YOUNCE: Well, first, in terms of the future of a small town policing, I think there's going to have to be some effort on the part of small police departments to consolidate. With the way the economy is going now, the tax bases, the transient criminal activity that's going on, small police departments are probably a thing of the past. I think that maybe we can help, that the small town police chief can help by instead of resisting that change helping to initiate the change in the right direction. We ought to take the leadership and say "Hey, maybe it's not such a good idea to have a police department with one or two or ten officers." I'm not sure what the level is right now, but I think there's going to have to be some effort to consolidate and I think it's incumbent upon us to initiate that change and also to work within our organization to see it come about.

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CRIMINAL JUSTICE LIBRARY

We read and review:

Popular Justice pieces together the policing puzzle

Popular Justice. By Samuel Walker. New York: Oxford University Press. 1980. \$12.95. 287 pp.

The academic study of criminal justice will move from infancy to maturity only when the field develops an historical perspective in depth. This always relevant generalization is particularly valid for the United States since this country, from its beginnings, has, in Walker's words, "endured not only widespread crime and disorder, but also a criminal justice system pervaded by corruption, inefficiency, and injustice." Criminal justice agencies have traditionally mirrored our "wildly contradictory" attitudes toward law and order, and those attitudes, so embedded in our social history, have remained fairly constant in the last 300 years. Maturity in historical analysis will depend upon the vigilant labors of young historians working on pieces of the picture (or, more accurately, the puzzle) and an occasional summing up of the findings by broader works such as *Popular Justice*. While the time may not yet be ripe for much more than this "brief interpretive overview", Walker has encapsulated most of the extant research, added a few shrewd interpretations of his own, and pointed the way to future analyses of a history that is both fascinating and depressing.

Despite his over optimistic belief that

"today... we have a reasonably good understanding of how our criminal justice system works," Walker does broadly and accurately depict its major developments. As he notes, "The special character of American criminal justice lies in the high degree of direct and indirect popular influence over its administration," and his belief that such influence "accounts for both the best and the worst" features of our system is prescient. His appraisal that "the amount of discretion has neither increased or decreased, but has largely moved from one agency to another" should put into graphic perspective a lot of the nonsense written by criminal justice professors, political scientist, and law professors about our system's ability to limit discretion. If the choice in our democracy is between more rules to limit the arbitrariness of "bad men" and "better men," to who discretion is to be entrusted, the answer would seem to emphasize the latter, if I read the book correctly.

The strengths of our system of criminal justice — as well as its faults — should not be ignored in this age of cynicism. Precisely because of its popular character, because of its vulnerability to popular moods, "our agencies are capable of dramatic changes in rather short periods of time." The police professionalization movement — analyzed by the author in a previous work — is an

example of such capability for growth. In the 1930's, a Presidential Commission attacked big-city police as brutal and inefficient; "The Wickersham Commission revelations had a profound impact on the police," the author notes. While brutality declined, and an upgrading of personnel occurred, the ultimate result, though heartening in terms of agency capacity to change, was disappointing. "While the police role was redefined toward crime-fighting, day-to-day police work increasingly involved miscellaneous services to the public," a reality which the professionalization movement refused to recognize. The result was mixed: change *did* occur but its direction involved minimization of "routine police-civilian contact" as "the social service aspects of the police role fell into eclipse." Today, perhaps, a newer, more sophisticated version of professionalism has demonstrated that a service style of policing need be neither corrupt nor antagonistic to minority communities.

Good historical analysis will describe the dynamic as well as the static elements of the subject studies, and Walker clearly shows that both must be understood to unravel the complexities of American social history. In colonial times — at least in New York — "officials were not held in high regard," a truism that has survived our entry into nationhood. If the "county sheriff was the most important law enforcement official in colonial America..." But was controlled not by the people but by elite groups to whom he really owed election (or selection), this has not particularly changed over time. (Of course, elite

groups change, may become more diversified and more split, and this has happened, so that the major question is now often "which group or coalition will dominate criminal justice agencies' functions?"). If John Howard's *State of the Prisons* (written in the late 18th century) "established the format for a long history of prison-reform literature," our present inability to really grapple with prison reform can better be understood.

In emphasizing static qualities, there is a temptation for the historian to perceive a pattern where none may exist. To analogize the post-Civil War Klan to some pre-American revolutionary lawlessness is stretching things a bit; to find the antecedents of modern organized crime in small entrepreneurial 19th century urban vice districts is analogy run wild; to equate F.D.R.'s pre-World War II directive to the F.B.I. to investigate pro-Nazi groups to 1960's "harassment of political dissidents" is to overdraw and distort quite separate phenomena, and to root "the counter-culture of the 1960s" in "middle-class deviance of the 1950s" (what middle-class deviance?) is precisely to overlook dynamic aspects of history otherwise handled so sensitively.

The book's concentration on criminal justice, of necessity, diminishes analysis of crime itself. The least inspired sections — the ones most haphazardly presented and least analyzed — concern the phenomenon of crime. Apart from sketchy references such as "Crimes against persons and property may have actually declined in the

Continued on Page 12

An Australian takes a peek at the American system of enforcement

Police Institutions & Issues: American and Australian Perspectives. By Bruce Swanton. Australian Institute of Criminology. Canberra, 1979. 409 pp. \$5.00 (plus freight).

This book is a fascination. An Australian looks at America's Police Foundation, police boards and commissions, police academies and American police issues such as labor-management relations and police health maintenance. Written in a style that's friendly but critical, Swanton's book is fast, easy reading if an overview of the topics is desired. Yet along with its multitudinous tables, appendices and bibliography, in-depth thoughts by the author on his research and conclusions are offered for those readers seeking greater detail.

I suspect many American police personnel will either disagree with the major viewpoint of the author — that police should not be identified with law enforcement in general — or if in agreement they will not feel the issue as strongly as the author. Swanton believes the professionalism of police is being destroyed by police becoming mere parts of law enforcement agencies — so much so that he envisions American police becoming lowskilled security people with low prestige and low identification as police functions are taken over by law enforcement agencies, and many other institutions take on the title people involved in them. IACP began the founding of national crime records and fingerprinting. Following its policy of turning over its accomplishments to public police agencies, the IACP gave these programs to the Federal Bureau of Investigation.

The idea of private institutions like IACP or the Police Foundation influencing public police organizations is accepted in

America but Swanton feels it would probably meet resistance in Australia. In Australia the state government handles police research and problems almost exclusively, whereas Swanton observes that American cooperative action with private organizations underlines our strong commitment to democracy and free enterprise.

Swanton believes the fragmentation of American policing results in police agencies and personnel grouping together in the private organizations to help each other. Still, he feels the individual management within American police departments is extremely autocratic.

He hopes this book on American police institutions and issues will make Australian and American administrators more aware of their problems and help motivate them to answer questions with constructive planning. The Police Foundation's research created more question, a phenomena which leads to planning, Swanton states. But surprisingly, he felt American organizations use less administrative staff than other countries.

Swanton's book is interesting because the persona of the police officer permeates the book. He is treated as a person, not a statistic. Even when Swanton describes the institutions and programs he pinpoints the person, whether a head officer or a secretary, who by personality and hard work has made the program successful.

Swanton's personal style and research is informative, interesting and critical without venom. The book is good supplementary reading that presents a focus different from that of major American law enforcement writers and critics.

—Anne Adams
Northeastern University

Prevention book says advanced planning is key to lowering crime

Understanding Crime Prevention, Volume I. Louisville, Kentucky: The National Crime Prevention Institute.

Prior to jumping directly into procedures and equipment, *Understanding Crime Prevention* explores the evolution of this subject and particularly its present day growth, emphasizing each level of society's role. It does not, and rightfully so, address the area of so-called "victimless crimes," because it holds that each individual is personally responsible to avoid becoming a victim.

This is a book which should be of interest to anyone who sincerely desires to prevent crime. It is intelligibly written and tailored to the individual on the street, the homeowner, apartment-dweller, small businessman, medium-sized or large corporation. What's more an old pro in crime prevention is as well served by *Understanding Crime Prevention* as the beginner.

The real high points in the NCPI publication, however, lies in the elements it stresses are vital long before any crime occurs. Advance planning, building in the crime prevention/security element during construction, and total community participation. The net result of such programs is not evident in crime statistics, regrettably, because one can never measure exactly how much potential crime is deterred by prevention programs.

It is the opinion of many crime preven-

tion and private security practitioners that in the future many communities are going to have to turn to greater citizen participation in crime prevention or private security guard forces. Government cutbacks, at all levels are forcing this to become a reality. *Understanding Crime Prevention* will certainly start any of them off on the right foot.

— James C. Bunch
Former Special Agent
U.S. Coast Guard Intelligence

Read a Good Book Lately?

Tell us about it. Law Enforcement News will publish reader-contributed reviews of newly published books relating to any aspect of criminal justice. Manuscripts should be typewritten and range in length from two-to-five pages. Send to: LEN Reviews, 444 West 56th Street, N.Y., NY 10019.

Walker work provides hope that justice will prevail

Continued from Page 11
19th century" and "The incidence of serious crimes against persons and property began to rise at an alarming rate in 1963," there is little solid analysis. This leads to some distortion. For instance, to argue that crimes of violence increased faster than property offenses in the 60's and early 70's is to submerge the critical fact that property offenses still constitute 85 to 90 percent of all serious reported crime. The hesitant and illogical discourse on organized crime — which ranges from "the myth of the so-called Mafia" to "public fears were not totally groundless" to "organized crime was a reality" — reflects most of the writing on the subject. It would have been salutary had Walker had at his disposal the recently published biography of Meyer

Lansky (*Mogul of the Mob*). Skimpiness is also evident in some comments about the effect of Supreme Court rulings on the criminal justice system — *Gault* did not hold that "juveniles were entitled to the same Constitutional rights as adults" (only some Constitutional rights were involved in that and later decisions). The great value of Walker's study lies in his appreciation of the dynamic developments in criminal justice. "Viewed in long-range terms, the professionals replaced the jury just as the professional police replaced the citizen's nightwatch," and just as public punishment (and public participation in punishment) was replaced by the prison. "A half-century of professionalization had created police departments that were vast bureaucracies, inward-looking,

isolated from the public, and defensive in the face of any criticism." The development of prisons and juvenile institutions, indeterminate sentences, and expansion of definitions of crime, and other "reform" goals have meant that "the apparatus of social control was now far larger and more extensive than it had ever been; it was able to intervene in the lives of American citizens as never before." Walker also notes that "popular violence declined in the 20th century, replaced by the subtler form of institutionalized vigilantism of the intelligence agencies. . . largely covert, supported by an enormous bureaucratic apparatus, and justified in the name of national security." Clearly, not the best of all criminal justice worlds.

But, now for the good news. "The

criminal justice system in the second half of the 20th century had begun — but only begun — to serve a broader segment of the public in a fairer and more equal and decent manner. Yet, this accomplishment had been achieved through essentially elitist and undemocratic means" — by bureaucratic reform but most importantly by Supreme Court decisions. If the administration of justice is no longer popular, "What the people wanted has not always resulted in either the fairest or most efficient administration of justice." There have been and continue to be notable failures, but there are some startling successes. While Walker furnishes no answers (no historian should), his lucid description of what has been should sensitize us to the problems, to some of the false solutions, and to the incredible complexity of the task of combining vital democratic participation (to at least reduce bureaucratic arrogance and imperviousness) while adhering to decent, enlightened and humane "professional" treatment of society's outcasts. If, as Winston Churchill and some Supreme Court Justices have noted, the quality of a civilization can be measured by the quality of its criminal justice system, then, despite a checkered — at times racist and barbaric — past, there is some hope. Indeed, contrary to President Carter's famous homily, "A government should be better than its people," at least better than its people at their worst. Since popular (and elite) reactions to crime and criminal justice have often reflected the worst in us, there are substantial grounds for hope that an increasingly reformed system will reflect not only popular, but also elementary justice.

—Isidore Silver
John Jay College of Criminal Justice



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BURDEN'S BEAT

By ORDWAY P. BURDEN

Ego flaws put crooks behind bars in two of Great Britain's 'great' robberies

(First of four parts.)

The professional thief, whether committing bank burglary or armed robbery, undoubtedly is motivated by greed at the root of this most audacious of crimes is a criminal vanity perhaps surpassed only by that of the professional murderer. Invariably, it is the carelessness of vanity that has led to the solution of so-called "great" robberies. Historically, the British, irrespective of that people's much-vaunted restraint, have led the way in committing spectacular robberies:

London, 1671: The British Crown Jewels had been stolen by Oliver Cromwell in 1649 following the overthrow and execution of King Charles I, and, upon their recovery, great pains had been taken to protect these royal heirlooms. These priceless relics — crowns, orbs, state swords, scepters, spurs of chivalry, all gold and silver and studded with countless jewels — were placed in the Tower of London and surrounded by a detachment of dedicated guards.

It was the sole job of Talbot Edwards, and his wife, Dolly, to clean and protect the jewels. To that end, the couple actually lived with the gems, keeping an apartment right above the jewel room in Martin Tower, which was part of the Tower of London. It was also the Edwards' responsibility to greet any distinguished visitors permitted to view the jewels and explain their origin and history.

A clergyman and two friends arrived at the Tower on May 9, 1671. Edwards happily showed the trio to the jewel room. As soon as they entered the room, the parson and his two friends leaped upon the elderly guardian of the Crown Jewels, knocking Edwards down, then binding his hands and feet and stuffing a gag into his mouth. When Edwards continued to struggle, the minister withdrew a wooden mallet from beneath his cloak and struck Edwards three times to render him unconscious.

The parson used the mallet to flatten the crown enough to stuff it into a leather pouch. The second man pocketed the gold ball of the royal orb while the third filed the scepter in halves, slipping them into specially-made pockets in his cloak.

Just as the thieves turned to leave the treasure room they heard one of the Tower guards sound the alarm. The three robbers bolted down the stairs and raced to the main gate where a fourth man waited with their horses. They rode away at a fast gallop but a squadron of fast-moving militia men in hot pursuit overtook them, swarming over the thieves and knocking them to the ground. All four men were taken back to the Tower and locked up; it had been only an hour since the great robbery.

Once in custody, officials determined the fake parson and ringleader of the gang to be none other than Colonel Thomas Blood, an Irish rebel who had fought with Cromwell and had attempted many times to kidnap members of the royal family and topple the throne.

Blood refused to answer any questions by the authorities, stating that he would not reply to interrogations "unless they are put to me by the King himself." Such outrageous airs following the most spectacular theft in English history intrigued King Charles who, on a whim, visited Blood in his cell and did, indeed, question the bold thief.

Blood's conversation so amused and

startled Charles that the King not only dismissed the mandatory death sentence against him and his followers, but gave Blood full pardon, restored his estates, and conferred upon the imaginative burglar a yearly pension of 300 pounds. This magnanimous gesture did not alter Blood's attitude, however. He went on plotting against the Crown until his death in August 1680.

England, 1857: The so-called Great Train Robbery, the first train robbery on record, was masterminded by Edward Pierce, a professional thief. Pierce and a confederate named Agar bribed a train guard named Burgess to allow them into the coach carrying about 20,000 pounds in gold bullion on an express track of the South Eastern Railway.

The gold was locked in tin boxes and the keys for these had been made from impressions of the real keys borrowed temporarily for that purpose by a railway traffic clerk named Tester who, like Burgess, had been handsomely bribed.

While the shipment was being trained from London, Pierce, Agar and Burgess unlocked the tin boxes, took out the bullion and threw it to waiting henchmen at designated spots along the train's route. Lead was then substituted for the gold and the boxes locked. The theft was not discovered until the shipment arrived in Boulogne. By that time, the robbers were busy making plans to sail to America, but Agar was arrested on another charge, cashing forged checks. Pierce visited Agar in prison, promising to give Agar's share to his mistress. When Agar later learned that Pierce had given his woman only a pittance, he became enraged and blurted out the entire story to police. Pierce and others were promptly arrested, and all drew long prison terms.

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Continued from Page 3
Highway Patrol pays troopers in Dade County \$13,309 a year.

In addition to better wages, the PSD is offering recruits a career path that is wide open for advancement. The Dade force is down to 1,400 officer from a full complement of 1,700, policing communities that are on the upswing.

The 235 recruits will be hired according to the specifications of an affirmative action plan — one-third Hispanic, one-third black and one-third non-Latin white. Their test scores will be compared only with



CRIME JOURNAL

By JAY ROBERT NASH

FIRST comes to the forefront of the delinquency problem in New York

Kids in trouble are a dime a dozen today. Discounting for inflation and the rising rate of juvenile delinquency, better make that a nickel a dozen. How can they be guided away from trouble and into constructive activities?

Some might say, "That's not my problem. As a police officer, my job is to stop kids from delinquent acts. Somebody else should handle their problems."

Precisely. But who? In every community of any size there are literally scores of agencies prepared to do just that. The problem is to find the right agency for the youth's situation. Legally, of course, it is not a policeman's job to refer troubled kids and their families for help. But is there a patrolman anywhere who hasn't been confronted by a distraught father whose 14-year-old son has been collared for vandalism and asked, "I can't do anything with him. What should I do?" It's hard to turn away and then say, "That's your problem buddy. He's your kid." The more likely (but unspoken) response is, "There but for the grace of God go I," coupled with an attempt by the officer to suggest possible sources for help for the youth and his family.

In Westchester County, New York, police officers in several communities will soon be able to be of real service to troubled youths and families. They are being trained to respond knowledgeably when a child or family cries out for help by referring them to an agency that can meet their need. The program is called FIRST, an acronym for Family Interest and Resource Service Team.

The idea of FIRST is to make policemen and other professionals who first encounter kids in trouble aware of the county's many sources of help. In Westchester, a suburban county of 900,000 residents just north of New York City, there are close to 150 agencies that deal with family problems. Within 15 miles of any county resident, there are from 50 to 65 such agencies, according to FIRST director Ann B. Spaeth.

The key to the program is a directory for each area of the county listing the nearest 50 or more agencies that offer services in a wide variety of fields — counseling for psychological and behavior problems, guidance for kids in trouble at school, legal aid, health care, learning disabilities assistance, vocational training, rehabilitation programs, and a host of others. In three two-hour sessions, the FIRST participants learn how to use the directory to find the agency most appropriate for the child's (and family's) problem.

The training sessions are basically problem-solving tests in which the trainees are given hypothetical cases and asked to come up with the correct referral. In fact, though, actual cases are used, giving the training a strong sense of reality. There is no charge for the course.

Thus far, representatives of the police departments in Port Chester, the Town of Rye, Harrison and the City of Rye have taken the training course, along with physicians, firemen, librarians, members of the clergy, and other professionals who are on the front lines when a child's problem first surfaces. In the fall, police officers from Larchmont, Mamaroneck and New Rochelle are expected to receive FIRST training.

The program's referral services are not confined to kids who are in trouble with the law. It also makes referrals for children with learning problems, families who simply need homemaker help, and others who need various kinds of timely assistance to keep relatively simple difficulties from escalating into major troubles. "We're in the prevention business," Mrs. Spaeth explained.

FIRST was developed as the result of the findings of the Westchester Committee for the International Year of the Child. Under the chairmanship of Marjorie Dammann, the committee found that many families did not know where to turn for help among the county's many agencies when trouble developed with their children. Mrs. Dammann and Mrs. Spaeth came up with the answer — FIRST — which, like most good ideas, is deceptively simple.

Mrs. Spaeth said FIRST has a \$50,000 budget, about a third of it from private donors. The remainder comes from state funds of the New York State Division for Youth and the Westchester County Youth Bureau. There are two full-time staffers, Mrs. Spaeth and an administrative assistant, plus several interns who are college students and volunteers. The program was started as a division of Family Service of Westchester.

Since FIRST is only a few months old, it is much too early to pass judgment, but at first blush, it appears to be an excellent idea for any large city or county with scores of agencies for helping kids and families. The Westchester experiment is well worth watching, particularly by youth squads and juvenile officers.

(Ordway P. Burden welcomes correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

Dade raids irking municipal chiefs

those in their own ethnic group.

Raw recruits must complete a six-month course at the Southeast Institute of Criminal Justice and ride on probation with an experienced officer for a few months. The training/probation period reportedly costs the department \$15,000 a year for each recruit, including salary, tuition and uniforms.

Dade's lateral transfer plan eliminates a significant chunk of the tab. The incoming officers are already state-certified and may be put on patrol after a few weeks of transitional classes.

Sergeant Jim Roosevelt of the PSD's personnel selection division indicated that the strategy is fair to all involved. "It's a safe guess to say we've had more of our sworn officers hired away from us than we've hired away from another organization," he pointed out.

Got Any Ideas?

The editors of Law Enforcement News invite reader comments. Letters to the editor or article length commentary should be typed for clarity.

JOBS

Police Officers. The Oklahoma City, Oklahoma, Police Department is recruiting for the position of police officer. The department specifies that applicants be 21 years old, have a high school diploma, have good moral character, be in good physical condition, and "be willing to accept a challenge." Salary after academy training is set at \$1,000.50 monthly, with excellent retirement benefits.

For additional information, contact: Oklahoma City Police Training Center, 800 North Portland, Oklahoma City, OK 73107. Telephone: (405) 946-4438.

Assistant Professor. The University of Wisconsin-Oshkosh is seeking an individual to teach criminal justice, public administration and public policy courses in its Political Science Department. The unit offers the bachelor degree in political science, administers a B.S. program in criminal justice with over 200 majors, and contributes public administration course offerings to an expanding masters program.

To qualify for the tenure track position, an applicant must have a Ph.D. with a major interest in criminal justice. An ABD will be considered if the degree is completed by the Spring, 1981 starting date.

Candidates should be able to teach undergraduate/graduate courses including a lower-level survey course on criminal investigation. Quantitative skills are desirable, as well as an interest in effective teaching.

Address inquiries, accompanied by a vita and references to: Dr. Willard Smith, Chairperson, Political Science Department, University of Wisconsin-Oshkosh, Oshkosh, WI 54901. The closing date is October 30, 1980.

Police Officer. Santa Clara, California is offering a \$1,619-

\$1966 salary range to qualified individuals who wish to join the city's police department.

Applicants, 21 to 35 years of age, must have completed 60 semester units of 90 quarter units at an accredited college or have 30 semester units plus two years of full-time, paid police experience with a major force. Physical ability, oral board, polygraph, psychological, and medical examinations will be conducted. Candidates must possess a valid California driver's license at the time of appointment.

Apply to: Testing Division, City of Santa Clara, 1500 Warburton Avenue, Santa Clara, CA 95050. Telephone: (408) 984-3040.

Police Chief. Hermosa Beach, California is seeking an individual to administer its comprehensive program of law enforcement and crime prevention. The department has 38 sworn employees and an operating budget of \$1,337,000.

Position requires a master's degree in public administration or police science plus seven years of supervisory experience. Applicant must be able to qualify for all necessary California POST certificates.

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LEN-8-80

Submit resume, including salary and work-related experience to: City Hall, 1315 Valley Drive, Hermosa Beach, CA 90254. Closing deadline is October 15, 1980.

Police Captain. Boulder, Colorado, a community of 85,000, seeks a proven professional police administrator to command a major division of its police department, which consists of 156 sworn and civilian personnel.

Requirements include three years at the rank of lieutenant or above serving a population of 75,000 or more. A degree in law enforcement or a related field is preferred. Salary will range from \$22,339 to \$30,288, depending upon qualifications.

Send a complete resume, no later than October 31, 1980 to: Application Desk, City of Boulder, 1777 Broadway, Boulder, CO 80302.

Chief of Police. Elkton, Maryland, the county seat of Cecil Court, bordering on the state of Delaware with a population of 7,000, needs an individual to head its 15-member police force.

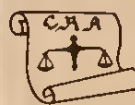
Applicants must have five years in a law enforcement agency and one year of supervisory experience. Expertise in labor negotiations is preferred. Salary will be in the upper teens with eligibility in the state retirement plan.

Send applications by October 29, 1980 to: Mayor James Crouse, Town of Elkton, P.O. Box 157, Elkton, MD 21921.

New Mexico State University Head

Department of Police Science

Begin July 1, 1981 Applicants must present a strong combination of academic and criminal justice background. Ph.D in related discipline strongly preferred. Preference will be given to senior-level applicants possessing a strong record of research productivity and scholarly contributions, demonstrated research interests in criminal justice, and administrative experience. All candidates must demonstrate teaching and research competence and possess a minimum of three years field experience within the criminal justice system, preferably within a law enforcement agency. The ability to work cooperatively with students, colleagues, administrators, and community is essential. Rank, Associate Professor: salary commensurate with qualifications; deadline for applications is January 15, 1981. Complete application consists of resume and three letters of reference. Copies of official transcripts will be required from applicants invited for campus visitation. Reply to: Dr. Joseph W. Rogers, Chairman, Search Committee, Box 3BV, New Mexico State University, Las Cruces, New Mexico 88003. EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER



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OCTOBER

15-17. **Arrest, Search and Seizure Program.** Presented by the Center for Criminal Justice at Case Western Reserve University. Fee: \$125. For more information, contact: Center for Criminal Justice, Case Western Reserve Law School, Cleveland, OH 44106. Telephone: (216) 368-3308.

19-23. **Thirteenth Annual Crime School.** Sponsored by the Narcotic Enforcement Officers Association. To be held at the Steevensville Country Club, Swan Lake, New York. For further information contact: Joseph F. Furturino, Conference Chairman, P.O. Box 113, Westbrook, CT 06498. Telephone: (203) 566-4490.

20-November 14. **Thirtieth School of Police Supervision.** Presented by the Southwestern Legal Foundation. For more details, contact: Southwestern Legal Foundation, P.O. Box 707, Richardson, TX 75080. Telephone: (214) 690-2377.

21-24. **Training the Trainer Seminar.** To be held in Denver, Colorado, by Harper & Row Media. Fee: \$350. For more details, write: Harper & Row, 10 East 53rd Street, New York, NY 10022.

22-24. **Battered Spouse Course.** Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$230. For further information, contact: Law Enforcement Institute, University of Maryland, University College, Conferences and Institutes Program, University Blvd. and Adelphi Road, College Park, MD 20742. Telephone: (301) 454-5237.

24-25. **Fourth National Conference on Medical Care and Health Services in Correctional Institutions.** Presented by the American Medical Association in cooperation with the American Health Services Association. To be held in Chicago at the Radisson Hotel. For further information, contact: American Medical Association, 535 North Dearborn Street, Chicago, IL 60610. Telephone: (312) 751-6000.

26-29. **International Seminar on Community Corrections.** To be held in Niagara Falls by the American Probation and Parole Association. For more details, contact: Mr. Edmund B. Watzel, Co-Chairman, NYS Division of Probation, Tower Building, 22nd Floor, Empire State Plaza, Albany, NY 12223. Telephone: (518) 474-3454.

27-29. **Seminar on Internal Controls for Law Enforcement Agencies.** Presented by the Traffic Institute. For further information, contact: Registrar, The Traffic Institute, Northwestern University, 555 Clark Street, Evanston, IL 60204.

27-31. **Field Training Officer Orientation Course.** Presented by the Regional Criminal Justice Training Center. For more details, contact: Regional Criminal Justice Training Center, P.O. Box 1065, 2201 Blue Gum Ave., Modesto, CA 95352. Telephone: (209) 526-2000.

28-30. **Major Case Investigation Course.** Presented by Harper & Row Media. To be held in New York City. For additional details, consult October 21-24.

30-31. **Burglary Investigation Seminar.** Presented by the Criminal Justice Center of John Jay College of Criminal Justice. To be held in New York City. For more information, contact: Ms. Barbara Natow, Criminal Justice Center, Room 2203, 444 West 56th Street, New York, NY 10019. Telephone: (212) 247-1600, 1606.

NOVEMBER

3-21. **Technical Accident Investigation Course.** Presented by the Traffic Institute. Fee: \$625. For more information, consult October 27-29.

1-7. **Annual Meeting of the American Society**

of Criminology. To be held at the Sheraton Palace Hotel, San Francisco, California. For more details, contact: Program Chairman, Dr. M. W. Klein, Sociology Department, University of Southern California, Los Angeles, CA 90007.

6-7. **Robbery Investigation Seminar.** Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For further information, consult October 30-31.

7. **Supervisor/Subordinate Relations Program.** Presented by the Center for Criminal Justice at Case Western Reserve University. Fee: \$40. For further information, consult October 15-17.

9-12. **Intermediate Training Conference.** Presented by the Southwestern Academy of Crisis Interveners. Fee: \$300. For additional details, contact: Sharon C. Leviton, Southwestern Academy of Crisis Interveners, 8609 Northwest Plaza Drive, Suite 440A, Dallas, TX 75225. Telephone: (214) 363-4944.

10-12. **Intra-Organization Communications Course.** Presented by the Theorem Institute. To be held in Washington, D.C. Fee: \$350. For more information, contact: Theorem Institute, 1782 Technology Drive, San Jose, CA 95110.

10-14. **Interview and Interrogation Course.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, contact: Florida Institute for Law Enforcement, P.O. Box 13489, St. Petersburg, FL 33733.

10-14. **Developing and Managing a Crime Prevention Program.** Presented by the National Crime Prevention Institute. Fee: \$200. For more details, contact: Admissions Coordinator, National Crime Prevention Institute, School of Justice Administration, University of Louisville, Shelby Campus, Louisville, KY 40292. Telephone: (502) 588-6987.

10-21. **Supervising a Selective Traffic Law Enforcement Program.** Presented by the Institute of Police Traffic Management, University of North Florida, 4567 St. John's Bluff Road South, Jacksonville, FL 32216.

10-21. **Basic Accident Investigation Course.** To be held in Hampton, Virginia, by the Transportation Safety Training Center. For further details, contact: Transportation Safety Training Center, Virginia Commonwealth University, 816 W. Franklin Street, Richmond, VA 23284. Telephone: (804) 257-6235.

11-13. **Arson Investigation Course.** Presented by Harper & Row Media. To be held in New Orleans. Fee: \$325. For more details, consult October 21-24.

12-14. **Computer Crime Investigation Seminar.** Co-sponsored by SUNY College of Technology's Division of Graduate Studies and Continuing Education and the Center for Rural and Urban Crime Studies. To be held at the Ramada Inn, Syracuse, New York. Fee: \$225. For additional information, contact: SUNY College of Technology, Division of Graduate Studies and Continuing Education, 841 Court Street, Utica, NY 13502. Telephone: (315) 792-3334.

16. **Certification Examination Conference.** Presented by the Southwestern Academy of Crisis Interveners. Fee: \$300. For further details, consult November 9-12.

16-20. **Terrorism in the 1980's.** To be held in Houston, Texas, by Richard W. Kobetz and Associates. For further information, contact: Dr. Richard W. Kobetz and Associates, North Mountain Pines Training Center, Route Two, Box 342, Winchester, VA 22601. Telephone: (703) 662-7288.

17-20. **Computer Related Crime: Training**

Workshop for Prevention, Detection, Investigation and Prosecution. Sponsored by the U.S. Department of Justice (Bureau of Justice Statistics) in conjunction with Koba Associates, Inc. To be held in Charleston, South Carolina. For additional information, call or write: Computer Related Crime Project, Koba Associates Inc., 2000 Florida Avenue N.W., Washington DC 20009.

18-19. **Evidence Gathering & Crime Scene Processing Seminar.** Presented by the Criminal Justice Center of John Jay College. To be held in New York City. For more information, see: October 30-31.

17-21. **Jail Operations Course.** Presented by the Regional Criminal Justice Training Center. For further information, contact: Yosemite Community College District, P.O. Box 4065, Modesto, CA 95352.

17-21. **Basic Fingerprinting Program.** Presented by the Center for Criminal Justice at Case Western Reserve University. Fee: \$150. For more details, see: October 15-17.

17-21. **Executive Development Program.** To be held in Washington, D.C., by the International Association of Chiefs of Police. For more details, contact: IACP, 11 Firstfield Road, Gaithersburg, MD 20760.

17-21. **Third Annual International Crime Prevention Conference.** Presented by the National Crime Prevention Institute and the International Society of Crime Prevention Practitioners. To be held in Louisville, Kentucky. For further information, contact: Conference '80 Coordinator, National Crime Prevention Institute, University of Louisville, Shelby Campus, Louisville, KY 40222.

18-21. **Robbery and Burglary Course.** Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$290. For further details, consult: October 22-24.

26. **In-Service Training Course.** Presented by the Massachusetts Criminal Justice Training Council. For more details, contact: Massachusetts Criminal Justice Training Council, 1 Ashburton Place, Room 1310, Boston, MA 02108.

DECEMBER

1-12. **Supervision of Police Personnel Program.** Presented by the Traffic Institute. Fee: \$500. For more information, consult: October 27-29.

1-12. **Crime Prevention Technology and Programming Course.** Presented by the National Crime Prevention Institute. Fee: \$400. For further information, consult: November 10-14.

6. **Drug Abuse Enforcement Law and Procedure Course.** Presented by the Massachusetts Criminal Justice Training Council. For further information, consult: November 26.

1-12. **Scientific Investigation of Crime Seminar.** Presented by the Southern Police Institute. Tuition: \$400. For further information, contact: Admissions Office, Southern Police Institute, University of Louisville, Louisville, KY 40292. Telephone: (502) 588-6561.

23. **Traffic Records Course.** Presented by the Transportation Safety Training Center. To be held in Dublin, Virginia. For more details, see: November 10-12.

3-5. **Executive Development Course.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For more details, see: November 10-14.

4-5. **Fourteenth Conference on Juvenile Justice.** Presented by the Southwestern Legal Foundation. For additional details, see: October 20-November 14.

4-7. **Four-Day Law Enforcement Hypnosis Seminar.** To be held in Los Angeles, California, by the Law Enforcement Hypnosis Institute. Fee: \$395. For more details, contact: Dr. Martin Beiser, Director, Law Enforcement Hypnosis Institute, Inc., 303 Gretna Green Way, Los Angeles, CA 90049. Telephone: (213) 476-6024.

8-10. **Assessment Center Methods Program.** Presented by the International Association of Chiefs of Police. For more details, see: November 17-21.

8-10. **Safe Schools Seminar.** Sponsored by

the Institute for Safe Schools, Inc. For more details, contact: Mrs. Louise Kneminger, Institute for Safe Schools, Inc., 800 East Broward Blvd., Suite 506, Ft. Lauderdale, FL 33301. Telephone: (305) 463-1776.

8-12. **Criminalistics — A Practical Application for Law Enforcement Investigators.** Presented by the University of Maryland, Conferences and Institutes Program. Fee: \$320. For more information, consult: October 22-24.

8-12. **Law Enforcement Photography Workshop.** To be held in Rochester, New York. Presented by the Eastman Kodak Company. For more information, contact: David D. Holtz, Corporate Communications, Eastman Kodak Company, 343 State Street, Rochester, NY 14650. Telephone: (716) 724-2364.

10-12. **Manning Field Services Course.** To be held in Phoenix, Arizona, by the Theorem Institute. Tuition: \$350. For more details, consult: November 10-12.

10-14. **Four-Day Certified Course in Lie Detection and Stress Analysis Using the Mark II Voice Analyzer.** Presented by Law Enforcement Associates, Inc. Fee: \$400. For more details, contact: Grimm De Paniers, General Manager, Law Enforcement Associates, Inc., 88 Holmurs Street, Box 128, Belleville, NJ 07109.

15-18. **Crisis Intervention Course.** Presented by the Regional Criminal Justice Training Center. For more details, see: November 17-21.

16-18. **Hostage Negotiation Course.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For further information see: November 10-14.

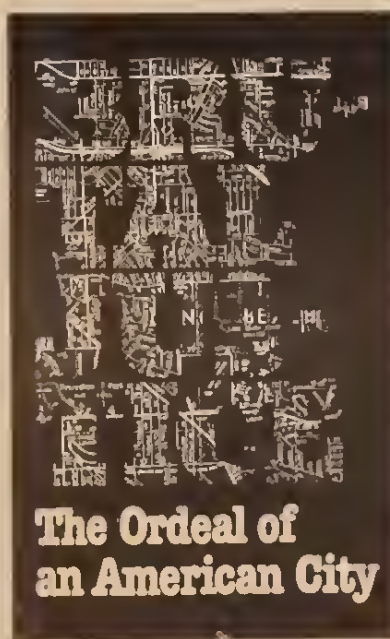
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5-9. **Effective Tactical Police Operations.** Presented by the Institute of Police Traffic Management. Fee: \$225. For more details, consult: November 10-12.

5-9. **Basic Fingerprint Course.** Presented by the Florida Institute for Law Enforcement. Fee: \$125. For further information consult: November 10-14.

12-14. **Vehicle Lamp Examination Workshop.** Presented by the Traffic Institute. Fee: \$275. For more details, see: October 27-29.

12-15. **Developing Police Computer Capabilities Course.** To be held in San Diego, California, by the International Association of Chiefs of Police, 11 Firstfield Road, Gaithersburg, MD 20760. Telephone: (301) 948-0922.



New from the John Jay Press BRUTAL JUSTICE The Ordeal of an American City by Henry Cohen Loyola University of Chicago

This book is a fascinating historical account of modern lawlessness among urban institutions and agencies in California during the 1960's. The book opens with a teacher, Connor Everts, describing in his own words what happened to him before and after his arrest by two police officers in Long Beach. It is a story of police sadism and brutality, but it is only the beginning of what Professor Henry Cohen documents about municipal misconduct.

Through interviews and research, Professor Cohen carefully reconstructs a web of relationships among city politicians, lawyers, legal firms, newspaper owners, judges, and police. That web is shown to sustain and support the two patrolmen when Connor Everts and his counsel press their case against the City of Long Beach.

It is in the final pages of this book that its title becomes ironically apt. The beating of Connor Everts described at the beginning of this book was brutal, what occurred to Everts in court, to police who brutalized citizens, to victims of police violence, and to judges and lawyers within federal and state judicial systems, is indeed brutal history.

To order your copy of this insightful analysis of a police brutality incident, send \$10.00 along with your name and address to: The John Jay Press, 444 West 56th Street, New York City 10019.

People & Places

Arcara goes after the Mob; Gallagher goes Southern; new bosses at ASIS

Ex-US Attorney to head NYS Organized Crime Task Force

Richard J. Arcara, a former U.S. Attorney, has been given the task of trying to reorganize New York State's troubled Organized Crime Task Force, replacing Ralph W. Smith Jr. who has served as acting head of the unit for the past year and a half.

The 40-year-old attorney will direct a force of 15 lawyers, five investigators and eight accountants, with an annual budget of \$1.2 million. He noted that his office would concentrate on such organized crime activities as drug trafficking, airport theft, cigarette bootlegging and "financial crimes."

Gallagher heads Florida call

G. Patrick Gallagher, the director and chief architect of the Police Foundation's Police Executive Institute, left Washington earlier this month to become director of the Division and Standards and Training with the Florida Department of Law Enforcement.

In his new post, the 44-year-old administrator will be responsible for monitoring statewide standards of employment, training and certification of 19,000 full-time officers in Florida.

The holder of a Ph.D. from Purdue University, Gallagher has headed the public safety research program of the League of California Cities and was South Bend, Indiana's first director of public safety.

Hunter heading Iowa prison

Iowa prison officials welcomed Susan M. Hunter as superintendent of the State Women's Reformatory in Rockwell earlier this month, placing the correctional scholar in charge of overseeing 100 inmates.

For the past few years, Hunter has been teaching criminal justice courses at Michigan State University and evaluating health care programs in prisons throughout the country. Last month, she was named president of the American Correctional Association's Programs for Female Offenders group.

Reiser entrances the American Federation of Police

One of the pioneers in police use of hypnosis, Dr. Martin Reiser, recently received the American Federation of Police Honor Award for distinguished achievement in public service. Reiser, who ac-

cepted the award from federation official Walter Gorski, serves as director of Behavioral Science Services for the Los Angeles Police Department and heads the Law Enforcement Hypnosis Institute, Inc.

Seven get the nod at ASIS

The American Society for Industrial Security recently elected seven new members to its board of directors. Six of the new directors are top security executives for major corporations, including Ronald H. Beatty of the General Dynamics Corporation, Donald T. Clark of Teledyne CAE, Salvatore Gallo Jr. of the Martin Marietta Corporation, Darlene Sherwood of SRI International, Robert L. Stromberg of General Telephone of Kentucky, and Richard A. Wright of the Lockheed Aircraft Service Company. The seventh board member is Arthur A. Kingsbury, the associate dean of business and public services at Macomb County Community College. All seven ASIS directors will begin their three-year terms in 1981.

New Castle lauds Riggs

Patrolman James E. Riggs of the New Castle County, Delaware, Police Department was named "Officer of the Quarter" last month for his part in cleaning up a theft ring. Riggs helped put four suspects through the wringer after his probe revealed that the four had allegedly looted the coin boxes of more than 100 apartment-complex laundry machines.

In a separate announcement, the New Castle force noted the promotions of Captain Elwood L. Mowday to the rank of major and of Lieutenant George Freebery Jr. to the rank of captain. An 18-year police veteran, Mowday, 44, holds a B.S. degree from Wilmington College. Freebery, 33, has been with the New Castle force for the past 10 years and also obtained a B.S. from Wilmington.



Dr. Martin Reiser (l.) receives the distinguished achievement award from Walter Gorski.

Police Products

Items about new or modified products are based on news releases and/or other information received from the manufacturer or distributor. Nothing contained below should be understood to imply the enforcement of Law Enforcement News.

RESCUE TOOL — Smith & Wesson is producing a metal-bashing device that may prove to be a boon to one-man patrols, particularly in situations where the lone officer must quickly get a trapped victim away from the gasoline fumes of an automobile accident.

Known as the S&W K-Bar-T, the tool permits the user to take immediate action on the accident scene, allowing him to pop open a jammed car door or even cut through a vehicle's roof to make an escape hole.

Small enough to fit in the trunk of a compact car, the K-Bar-T consists of a slide hammer, a chisel-point pry bar and a can-opener-type cutting tool. Using the first



two features, an officer can pry or wedge open a mangled door, remove padlocks, lift heavy objects and break through door-lock assemblies.

With the cutter and the slide hammer, a rescuer can slice through metal panels and roofs so that a victim can be removed from a potentially hazardous fire situation for first aid treatment.

Designed as a low-cost approach to providing rescue capability to every patrol vehicle, the K-Bar-T can be ordered from any S&W public safety distributor or representative. A more detailed description of the device can be obtained by writing: Smith & Wesson, 2100 Roosevelt Avenue, Springfield, MA 01101.

ID CARDS — Headquarters and station security could be enhanced through the use of custom printed, machine readable, plastic photo cards from Identification Systems, Inc.

Featuring magnetic surfaces, embossing and Hollerith punching for information storage, the cards can be used in conjunction with reading units to monitor access, check time and attendance and record transactions.

Mylar-coated for durability, the cards are individually encoded and are compatible with all data processing equipment. Portrait sizes, locations and formats can be ordered to the customer's specifications. Signature and logo can be superimposed over the photo for added security.

For free literature, contact: Identification Systems, Inc., James F. Dowd, 4 High Street, Acton, MA 01720. Telephone: (617) 263-2111.

SUICIDE TAPE — "Police Suicide: The Ultimate Cop-Out?" is an audiotape cassette that presents an interview with Edward C. Donovan, a counselor, lecturer, consultant and instructor who specializes in the field of stress in policing.

The 23-year veteran of the Boston Police

Department discusses the varied and complex circumstances which may lead to suicide among police officers, touching on some of the methods and programs which have been instituted to help prevent such tragedies from occurring.

Donovan, who is director of the Boston Police Stress Program and founder of the International Law Enforcement Stress Association, emphasizes the importance of the family both at home and on the job and the need to educate family members, peers and superior officers about the warning signs that often precede a suicide.

To obtain ordering information about the tape, which is available for purchase only, write: Harper & Row Criminal Justice Media, 10 East 53rd Street, New York, NY 10022, or call: (800) 223-2569.

HANDY SECURITY — Stellar Systems Inc. has redesigned its access control units, which employ hand geometry to establish positive personal identification in areas where absolute security is a must.

The New Identimat Systems are now available in three configurations: the Basic ID-2000, which employs a single reader and encoder, the Sophisticated M-3100 for applications requiring multi-point access control, and the Advanced T-1, which consists of a fully computerized control network.

Since all three systems rely on the size and shape of a person's hand for ID data, they are said to be the only proven units that recognize the individual rather than the card or key that he or she carries.

To obtain entry to a restricted area, a person must first insert his or her individual card or enter an ID number, then



place a hand on the special geometry reader. If the coded data on the card matches that of the individual's hand, access is granted.

The Basic ID-2000 is a one-point entry unit which is capable of encoding a card when a new employee is enrolled on the system. It measures the individual's hand geometry and enters it on the magnetic ID card.

For multi-point access, the M-3100 is recommended, providing a number of geometry and card readers with a central control unit to provide an integrated system.

The more sophisticated M-3100 can give a department the tightest security of any of the three systems. The hand geometry information is stored in the memory banks of a control computer, with the card reader or key pad used only to identify the individual to the system.

For complete information on the new systems, write: Stellar Systems, 231 Charcot Avenue, San Jose, CA 95131.